

**Town of Kennebunkport  
Board of Selectmen Meeting  
Village Fire Station – 32 North Street  
January 9, 2020 – 5:00 PM**

Minutes of the Selectmen's Meeting of January 9, 2020

**Selectmen Attending:** Patrick A. Briggs, Allen Daggett, Edward Hutchins  
Sheila Matthews-Bull, D. Michael Weston

**Others:** Ellen Blood, Michael Claus, Michael Davis, Jon Dykstra, John Everett, Hank Farrah, Mary Giknis, Werner Gilliam, Paul Hogan, David James, Jen Lord, Tom McClain, Arlene McMurray, Tracey O'Roak, John Ripton, Harrison Small, Laurie Smith, Kinder Wilson, and others

**1. Call to Order.**

Chair Daggett called the meeting to order at 5:00 PM.

**2. Swearing in of newly elected member of Board of Selectmen**

Town Clerk Tracey O'Roak administered the oath to new Selectman Mike Weston.

**3. Executive Session pursuant to MRSA 1, §405-6E to consult with Town Attorney.**

**Selectmen Attending Executive Session:** Patrick A. Briggs, Allen Daggett, Sheila Matthews-Bull, D. Michael Weston

**Selectman Absent:** Edward Hutchins

**Others:** Werner Gilliam, Laurie Smith, and Amy Tchao

**Motion** by Selectman Matthews-Bull, seconded by Selectman Briggs, to go into executive session pursuant to MRSA 1, §405-6E to consult with the Town Attorney regarding legal rights and duties with respect to town property on Langsford Road. **Vote:** 4-0.

The Board went into executive session at 5:00 PM and came out at 6:14 PM.

No action was taken.

**4. Approve the December 23, 2019, selectmen meeting minutes.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Briggs, to approve the December 23, 2019, selectmen meeting minutes. **Vote:** 5-0.

**5. 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.

**6. Public hearing to consider a new application for a bed and breakfast and liquor license submitted by Kennebunkport Captains Collection Holdings, LLC, DBA Captain Fairfield Inn, 8 Pleasant St.**

Public hearing to consider a new application for a bed and breakfast and liquor license submitted by Kennebunkport Captains Collection Holdings, LLC, DBA Captain Fairfield Inn, 8 Pleasant Street.

**Motion** by Selectman Hutchins, seconded by Selectman Briggs, to open the public hearing to consider new applications for liquor licenses for:

- Captain Fairfield Inn, 8 Pleasant Street
- Maine Stay Inn and Cottages, 34 Maine Street
- Captain Lord Mansion, 6 Pleasant Street
- Captain Jeffords Inn, 5 Pearl Street

**Vote:** 5-0.

Chair Daggett opened the public hearing at 6:14 PM.

Ellen Blood introduced herself and said she works for Mark Hotels, a property management group, that will be running the four properties under the new moniker of Kennebunkport Captain Collections.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull to close the public hearing at 6:16 PM. **Vote:** 5-0.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull to approve the following liquor licenses for:

- Captain Fairfield Inn, 8 Pleasant Street
- Maine Stay Inn and Cottages, 34 Maine Street
- Captain Lord Mansion, 6 Pleasant Street
- Captain Jeffords Inn, 5 Pearl Street

**Vote:** 5-0.

Selectman Matthews-Bull added that this does not include BeBe's Fantasy at the Captain Lord's Mansion.

7. **Public hearing to consider a new application for a bed and breakfast and liquor license submitted by Kennebunkport Captains Collection Holdings, LLC, DBA the Maine Stay Inn and Cottages, 34 Maine St.**

This item was discussed in item 6.

8. **Public hearing to consider a new application for a bed and breakfast and liquor license submitted by Kennebunkport Captains Collection Holdings, LLC, DBA Captain Lord Mansion, 6 Pleasant St.**

This item was discussed in item 6.

9. **Public hearing to consider a new application for a bed and breakfast and liquor license submitted by Kennebunkport Captains Collection Holdings, LLC, DBA Captain Jeffords Inn, 5 Pearl St.**

This item was discussed in item 6.

**10. Presentation of FY2019 audit by Hank Farrah of RKO.**

Auditor Hank Farrah from RKO gave a PowerPoint presentation. See Exhibit A. He said the Town received a very good report and the audit found no significant deficiencies or material weaknesses. He thanked everyone for their help during the audit, especially Treasurer Jen Lord.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to accept the fiscal year 2019 audit. **Vote:** 5-0.

**11. Transfer to capital reserve fund in accordance with fund balance policy.**

Treasurer Jen Lord explained that according to the fund balance policy, any funds in excess of the 18% target balance should be transferred to the capital reserve account each year. The Board of Selectmen reviewed the fund balance after the audit.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to authorize the amount of \$500,576.28 to be transferred from the undesignated fund balance to the capital projects fund, under general capital improvements. **Vote:** 5-0.

**12. Consider foreclosure list for taxes.**

Town Manager Laurie Smith explained that the foreclosure list provided was only for the Board's information. The total due at this time is \$16,049.18. No action was needed.

**13. Sign the Warrant for March 3, 2020, Special Town Meeting.**

Town Clerk Tracey O'Roak explained that the Town will hold a primary election on March 3. On the ballot is one question to amend public notice requirements for the Planning Board and Board of Appeals.

**Motion** by Selectman Hutchins, seconded by Selectman Briggs. To sign and authorize the March 3, 2020, Special Town Meeting Warrant. **Vote:** 5-0.

**14. Set public hearing for February 13, 2020, for public input on ordinance revisions.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to set the public hearing for February 13, 2020, for public input on ordinance revisions. **Vote:** 5-0.

**15. Set the number of shellfish licenses, license fees, and the length of the season.**

Town Manager Laurie Smith read the fees recommended by the Shellfish Warden and Shellfish Conservation Committee:

<u>Recreational</u>	<u>Licenses</u>
Resident Recreational	75
Nonresident Recreational	8
Warden Recreational	1
 <u>Commercial</u>	
Resident Commercial	2
Nonresident Commercial	0
 <u>Daily</u>	
Daily Licenses	0

The committee also recommended:

The flats will only be opened from April 15 through October 15

Digging will only be allowed on Friday, Saturday, and Sunday.

Recreational diggers may only take one peck per week.

Commercial diggers may only take 2 pecks per day.

**Motion** by Selectman Hutchins, seconded by Selectman Weston, to approve the number of shellfish licenses, license fees, and length of season as recommended by the Shellfish Warden and Shellfish Conservation Committee. **Vote:** 5-0.

**16. Discussion of recycling options.**

Chair of the Shellfish Committee Jon Dykstra gave a PowerPoint presentation which contained the Committee's recommendations. See Exhibit B.

Discussion followed. Selectman Weston commented that curbside pickup would be most effective because many residents are ages 75+ and not able to drive to bring their recycling to a recycling center.

Chair Daggett would like to make sure there is hands on recycling education.

Selectman Hutchins was concerned about the difficulty of educating the weekly renters.

Paul Hogan added that the Committee understands the challenge at Goose Rocks Beach, and he would put it in his rental lease that a fee of \$20 would be added if recycling is not done correctly.

David James commented that he received many emails from the KRA. People cannot understand why a wealthy town like Kennebunkport cannot afford curbside recycling.

Mary Giknis said it is a cost issue. It cost her family \$100 to bring her recycling to the Sea Road Transfer Station in just 4 months.

**17. Transfer of brush truck to Atlantic Fire Company.**

Fire Chief Jay Everett said the brush truck is 45 years old. He would like authorization to transfer the old brush truck back to the Atlantic Fire Company.

**Motion** by Selectman Hutchins, seconded by Selectman Weston, to give the old brush truck back to the Atlantic Fire Company. **Vote:** 5-0.

**18. Discuss road moratoriums.**

Director of Public Works Michael Claus drafted an ordinance on road moratoriums that he would like the Board to consider. See Exhibit C.

Discussion followed:

- There was concern that someone might have to wait five years if they want to build.
- Would like it at the discretion of the Board instead of putting it in an ordinance.
- The second page covers the unforeseen.

**Motion** by Selectman Matthews-Bull to adopt this policy on road moratoriums. Selectman Matthews-Bull rescinded her motion.

Mr. Claus will bring it back to the Board with better language at another date.

**19. Set the 2020 fees for Goose Rocks Beach parking stickers.**  
**Current fees are:**

Resident seasonal \$5.00  
Nonresident daily \$25.00  
Nonresident weekly \$100.00  
Nonresident seasonal \$200.00

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to keep the 2020 Goose Rocks Beach parking stickers rates the same as in 2019. **Vote:** 5-0.

**20. Adopt the Goose Rocks Beach Parking Sticker Rules/Regulations.**

The rules and regulations presented are the same as last year.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adopt the Goose Rocks Beach Parking Sticker Rules/Regulations. **Vote:** 5-0.

**21. Accept donation of \$750 from the Nonantum Resort to the emergency fuel fund.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept the \$750 donation from the Nonantum Resort to the emergency fuel fund. **Vote:** 5-0.

**22. Accept donation of \$389.67 from the Church on the Cape to the emergency fuel fund.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept the donation of \$389.67 from the Church on the Cape to the emergency fuel fund. **Vote:** 5-0.

**23. Accept donation of \$150.00 from Alex and Judith Lachiatto to the Nurses fees account.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept the donation of 150.00 from Alex and Judith Lachiatto to the Nurses fees account. **Vote:** 5-0.

**24. Other Business.**

Selectman Weston commented that there were so many elderly people who came to the voting polls, some walked with canes, others had walkers, one had a boot on her foot, etc. They all showed that voting is a right that is very important to them.

Selectman Matthews-Bull thanked all the volunteers, Michael Claus, and the public works crew for their help during Prelude.

Selectman Hutchins welcomed Mike Weston back to the Board.

Ms. Smith thanked the Solid Waste Committee and Mike Claus for all of the hard work they did on recycling.

**25. Approve the January 9, 2020, Treasurer's Warrant.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the January 9, 2020, Treasurer's Warrant. **Vote:** 5-0.

**26. Adjournment.**

**Motion** by Selectman Hutchins, seconded by Selectman Weston, to adjourn.

The meeting adjourned at 7:35 PM.

Submitted by Arlene McMurray  
Administrative Assistant

# Town of Kennebunkport

## FINANCIAL OVERVIEW

Presented By: Hank Farrah

*RUNYON KERSTEEN OUELLETTE*

### INSIDE

2. Summary of Audit Results
3. Fund Balances
4. General Fund - Revenues
5. General Fund - Expenditures
6. Unassigned Fund Balance as a Percentage of Expenditures
7. Revenue Distribution
8. Expenditure Distribution - 2019
9. Expenditure Distribution - 2018

### **About this presentation**

This presentation is intended as a tool to assist the Board of Selectmen and management in understanding its financial operating results. The information contained in this publication should be read in conjunction with the comprehensive annual financial report and should not be used for any other purposes without the expressed consent of *RUNYON KERSTEEN OUELLETTE*.

Please contact us at 207-773-2986 or 1-800-486-1784  
20 Long Creek Drive, South Portland, ME 04106



# Town of Kennebunkport

## SUMMARY OF AUDIT RESULTS

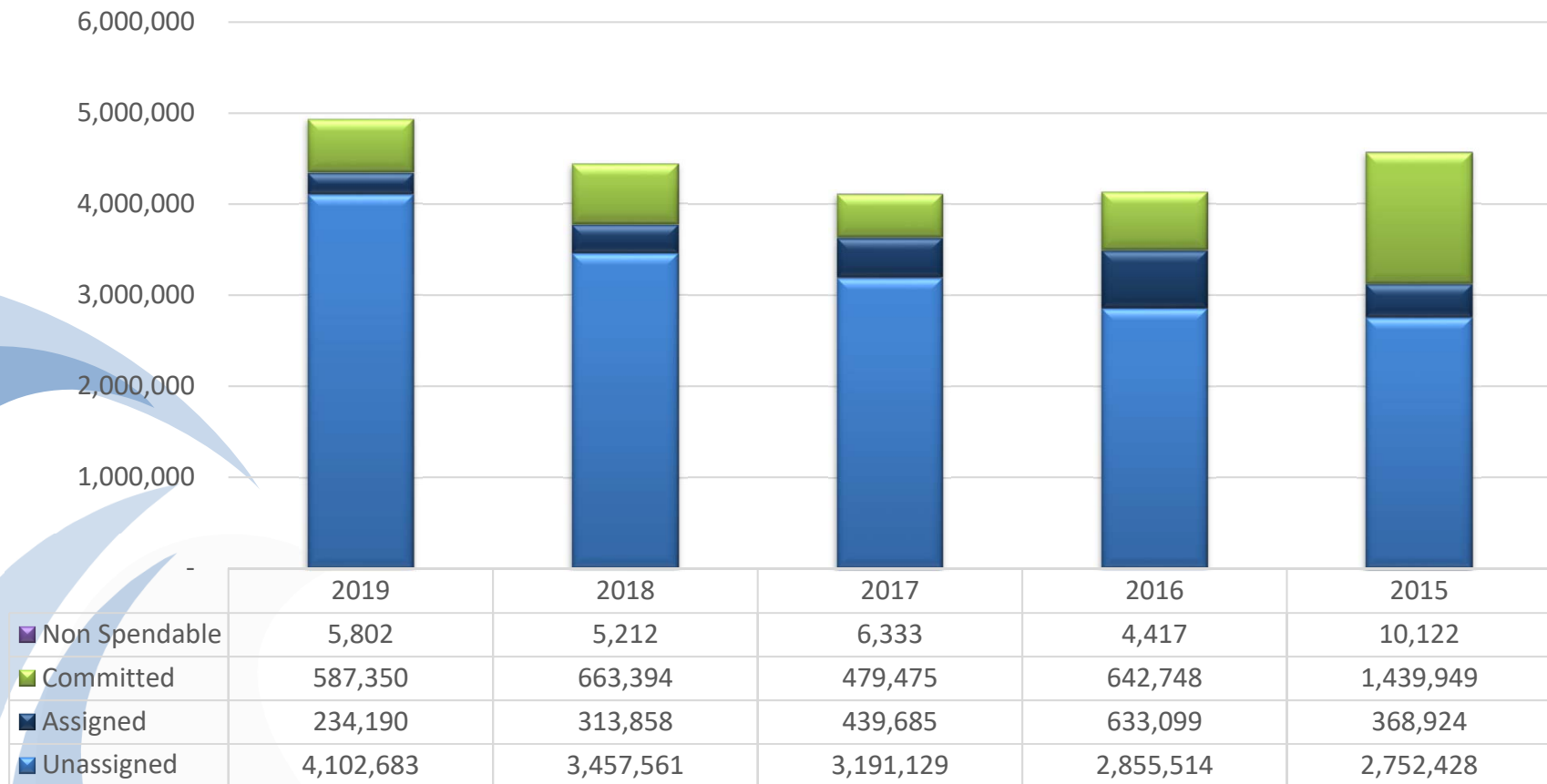
- Financial Statement Opinion - Unmodified
- Report Required by *Government Auditing Standards* (GAS)
  - No Material Weaknesses
  - No Significant Deficiencies





# Town of Kennebunkport

## FUND BALANCES



### Observations:

- **Total Fund balance** increased by \$490,000 to \$4,930,025 in the current year.
- See pages 47-49 of the financial statements for breakdown of fund balance.



# Town of Kennebunkport

## GENERAL FUND - REVENUES

	Budget	Actual	Variance
Property taxes	\$ 17,218,722	17,228,525	9,803
Excise taxes	954,500	1,068,682	114,182
Intergovernmental revenues	538,195	932,558	394,363
Licenses and permits	265,600	316,027	50,427
Charges for services	200,700	251,093	50,393
Interest earned	70,000	193,784	123,784
Other revenues	37,500	70,424	32,924
<b>Total revenues</b>	<b>19,285,217</b>	<b>20,061,093</b>	<b>775,876</b>
Transfers in	435,800	440,611	4,811
Utilization of prior year surplus	325,000	-	(325,000)
Utilization of carryforward balances	663,394	-	(663,394)
<b>Total revenue and other financing sources</b>	<b>\$ 20,709,411</b>	<b>20,501,704</b>	<b>(207,707)</b>

### SUMMARY OF SIGNIFICANT VARIANCES

- **Excise taxes** difference due to more residents purchasing new vehicles.
- **Intergovernmental** was over budget as more funding became available from MDOT.
- More building permits were issued than anticipated to cause overage in **licenses and permits**.
- **Charges for services** had more visitors to Goose Rocks due to better weather.
- **Interest earned** due to better interest rates with more cash in the bank.



# Town of Kennebunkport

## GENERAL FUND - EXPENDITURES

	Budget	Actual	Variance
General government	\$ 2,028,158	1,787,410	240,748
Public safety	2,752,389	2,611,488	140,901
Public works	1,235,591	1,229,881	5,710
Health and welfare	809,129	702,508	106,621
Recreation and culture	589,209	469,214	119,995
County tax	1,135,299	1,135,299	-
Education	10,220,198	10,220,198	-
Debt service	159,802	98,178	61,624
Capital improvements	151,001	25,025	125,976
Transfers out	1,628,635	1,677,835	49,200
<b>Total expenditures and transfers out</b>	<b>\$ 20,709,411</b>	<b>19,957,036</b>	<b>752,375</b>

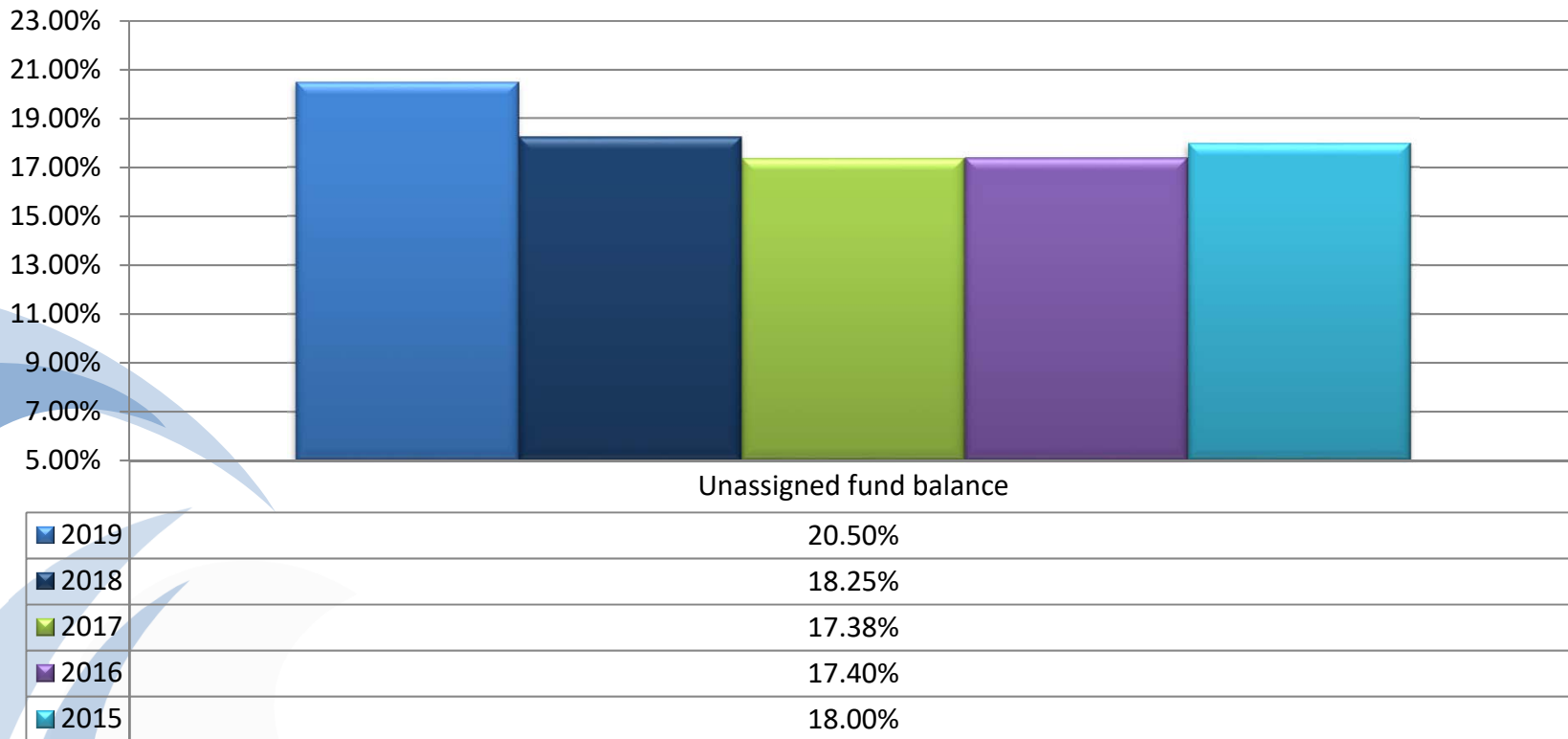
### *SUMMARY OF SIGNIFICANT VARIANCES*

- **General government** was under budget due to unused contingency and overlay, with a carryforward for GRB legal fees.
- **Public safety** had savings in wages, OT, and benefits in Police and Communications. Fire had savings due to less calls and trainings.
- **Recreation and culture, debt service, and capital improvements** were carry forward amounts.



# Town of Kennebunkport

## GENERAL FUND – Unassigned Fund Balance as a Percentage of Expenditures



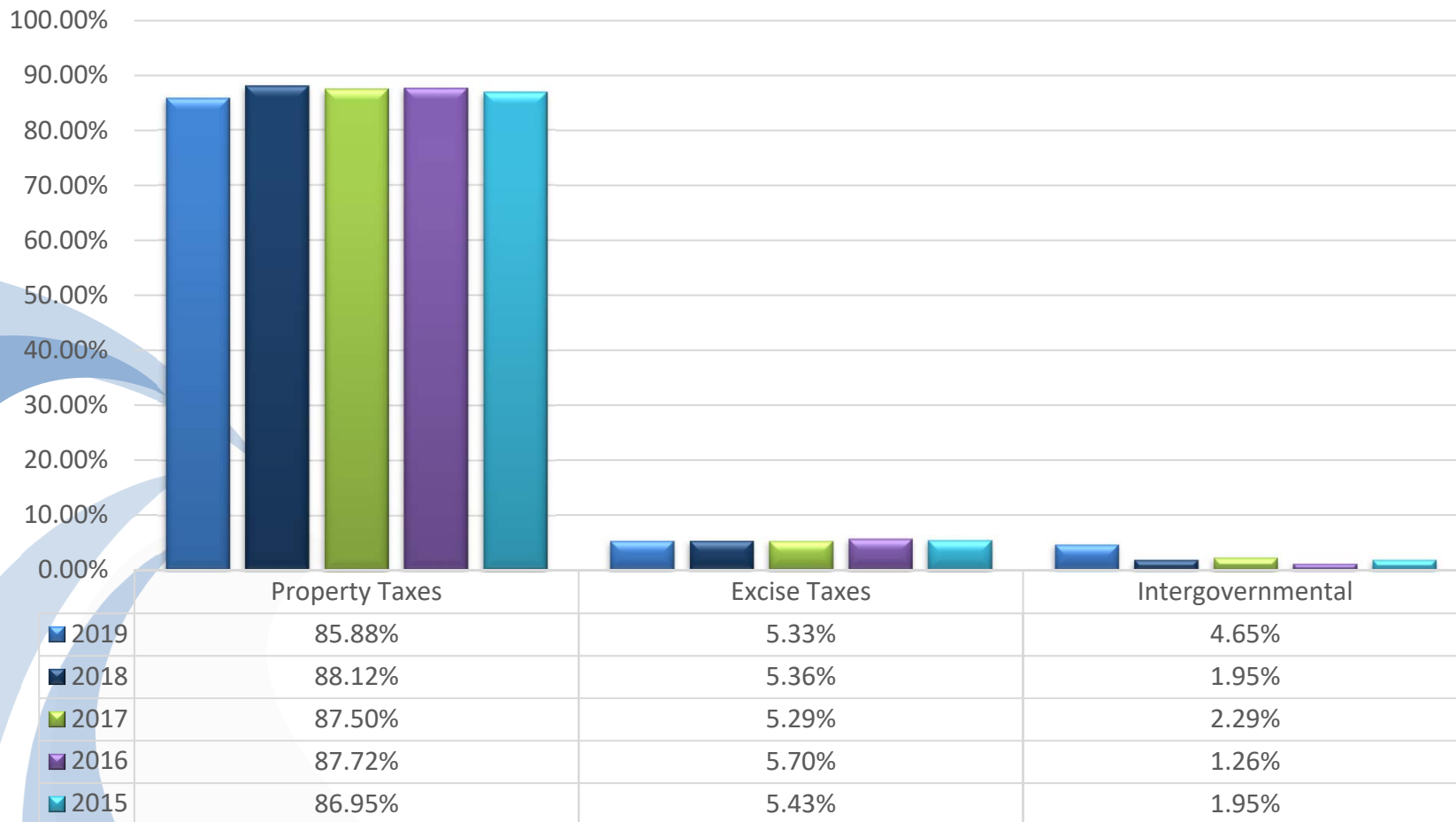
### *Town of Kennebunkport Minimum Fund Balance Policy:*

"It is the policy of the Town of Kennebunkport to maintain unassigned fund balance in the general fund at a minimum of two months of general fund expenditures (or 18%) measured on a GAAP basis. If unassigned fund balance drops below this level, the Town will develop a plan to bring the balance to the target level over a period of five years or less. Any unassigned funds in excess of the 18% target balance will be transferred to capital reserve accounts for projects identified in the Capital Improvement Plan."



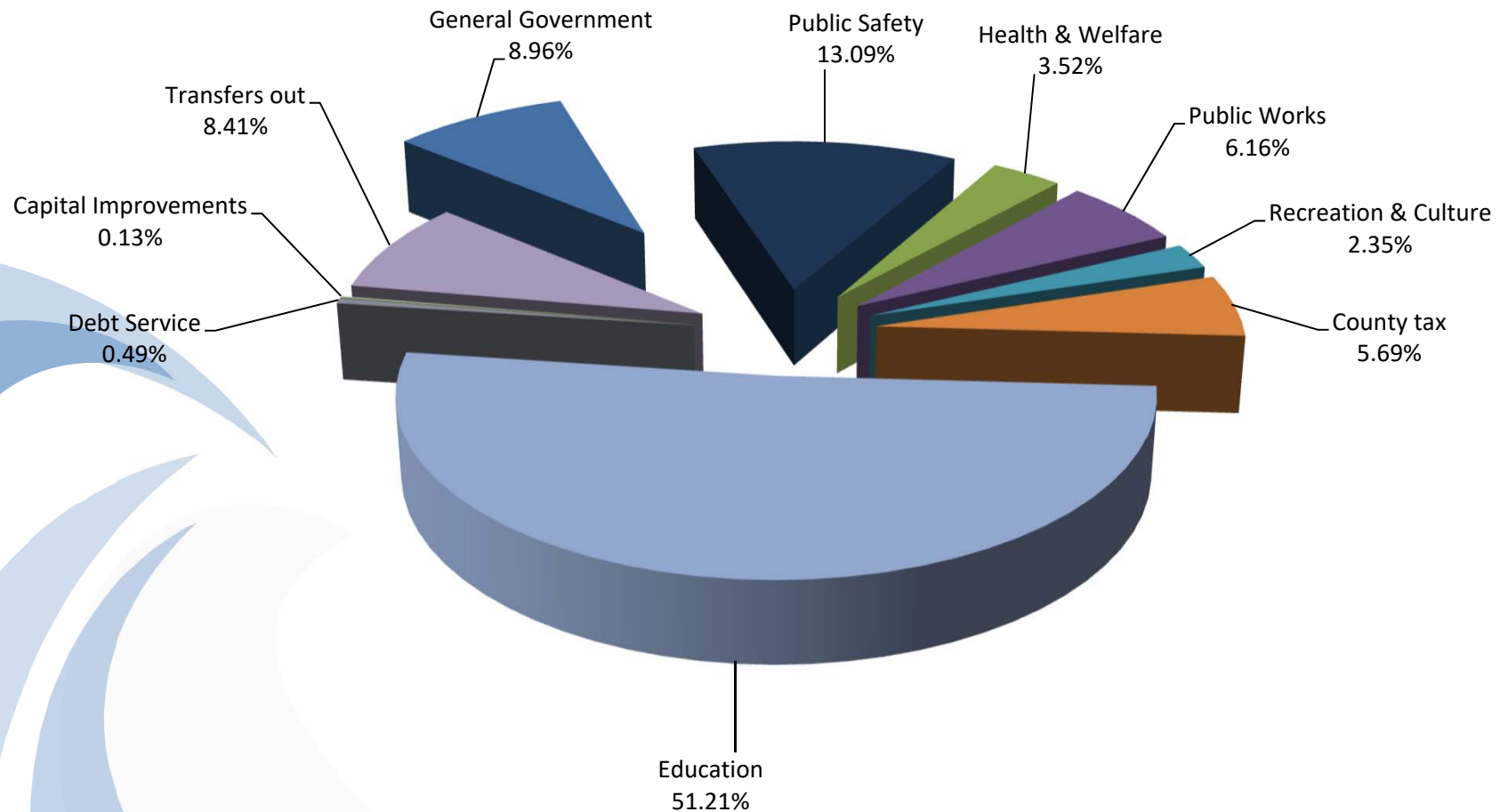
# Town of Kennebunkport

## GENERAL FUND – Revenue Distribution



# Town of Kennebunkport

## GENERAL FUND – Expenditure Distribution - 2019



# Town of Kennebunkport

## GENERAL FUND – Expenditure Distribution - 2018

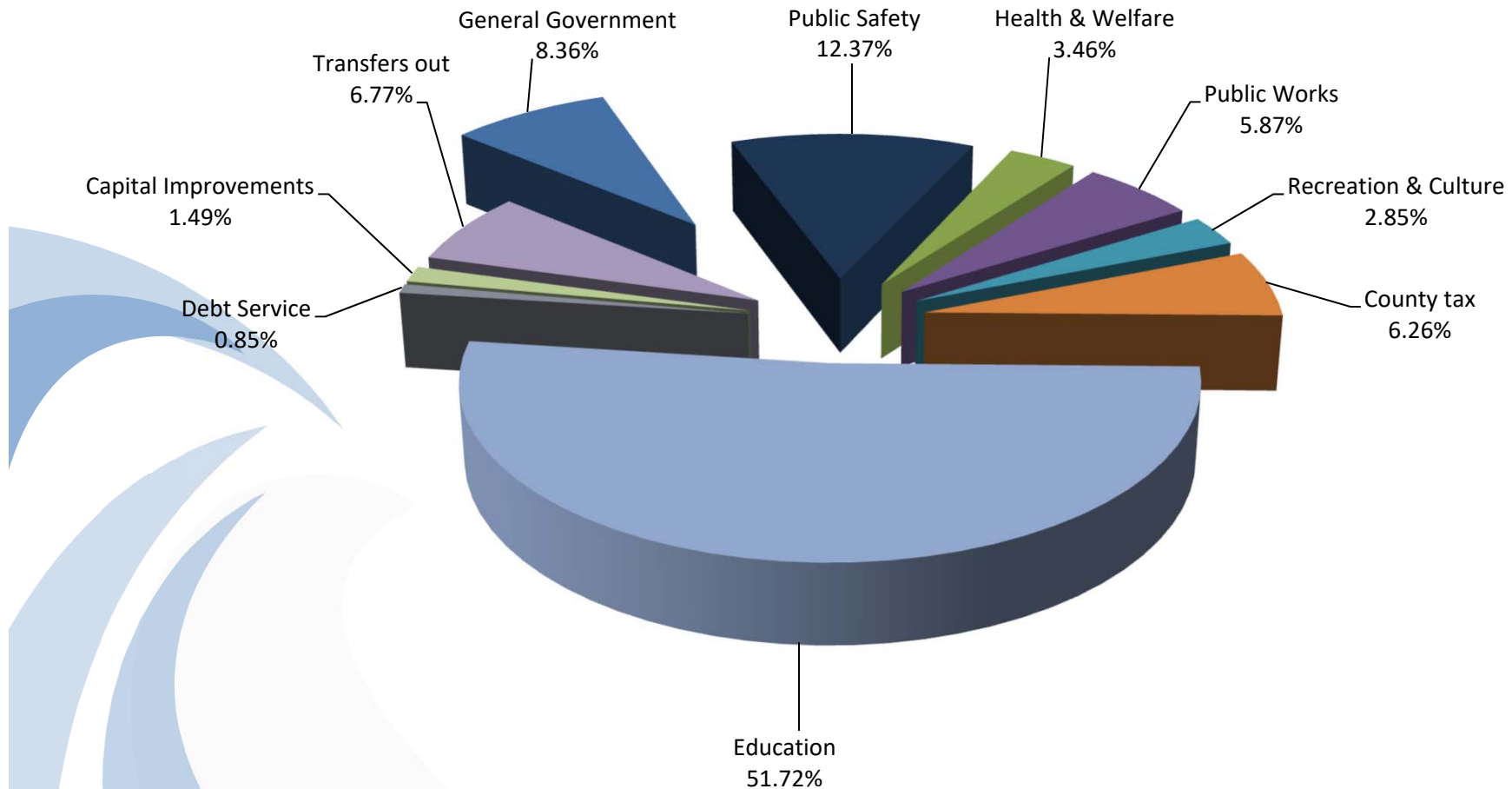




Exhibit B - 1-9-2020

A high-resolution image of Earth from space, centered on the Americas. The continents of North and South America are visible, surrounded by the deep blue oceans. The Earth's surface is covered in a complex pattern of clouds and landmasses. The image is set against a dark, star-filled background.

# Kennebunkport Recycling Options

(9 January 2020)



# Recycling 2020

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- There are no perfect choices
- Markets for recyclables are evolving after China's exit
- Publicly funded recycling only works when residents are properly educated
- Education needs to focus on:
  - What is currently recyclable
  - How to properly remove contamination

# Collection Options

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- Curbside
  - Casella collects from residential bins every other week and hauls to Ecomaine
  - Ecomaine sorts, bundles, and markets recyclables
- Town Recycling Center
  - Residents drive to recycling center on Wednesday (after 3PM), Saturday, or Sunday
  - Casella hauls to either –
    - Ecomaine (single stream option)
    - The recycler of choice (sorted option)

# To Sort, or Not to Sort...

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- Single Stream Option –
  - Can be either Curbside or Recycling Center options
  - Recycled Materials – Paper, paste board, cardboard, #1-#7 plastics, glass, and tin & aluminum cans
- Sorted Option –
  - Recycling Center option only
  - Recycled Materials – Cardboard, #1 & #2 plastics, and tin & aluminum cans. To keep costs manageable, only recyclable items that currently have value are collected and individually hauled
  - All other potentially recyclable materials (approximately 60% of total by weight) are added to the trash load

# Pros and Cons

Curbside Pickup	
Pros	Cons
No capital expenditures required	Greater dependence on education to keep contamination low
More convenient, assume significantly higher participation	Harder to monitor/enforce low contamination levels
Eliminates car trips to recycling center	
Community education provided by Ecomaine to reduce contamination	
Flexible – no sunk capital expense if markets drive changes in recycling practices	
<i>Maximizes reduction of solid waste hauled as trash (400 tons @ \$75/ton)</i>	

Recycling Center (Single Stream)	
Pros	Cons
Paid town employee keeps contamination low	\$57,000 upfront capital expense
Provides opportunity for composting household waste: reduced trash	Requires hiring/training a town employee
Support of Ecomaine's education department	Sunk capital costs - cannot easily respond to changes in recycling markets
<i>Next best option to reduce solid waste hauled as trash (~300 tons @ \$75/ton)</i>	Reduced seasonal/rental participation
	More hassle = less participation
	Potential burden for seniors
	May require Planning Board approval

Recycling Center (Sort Onsite - cardboard, #1&#2 plastics and metals)	
Pros	Cons
Paid town employee keeps contamination low	\$57,000 upfront capital expense
Provides opportunity for composting household waste: reduced trash	Requires hiring/training a town employee
<i>Least best option to reduce solid waste hauled as trash (~150 tons @ \$75/ton)</i>	Sunk capital costs - cannot easily respond to changes in recycling markets
	Reduced seasonal/rental participation
	More hassle = less participation
	Potential burden for seniors
	May require Planning Board approval
	Increased trash to landfills (not recycling paper, glass and #3-#7 plastics)
	Loss of Ecomaine educational support



# Cost Comparisons

Recycling Only	Curbside Pickup					
	Cost Element	Units	\$/Unit	2020 Budget \$\$	Following Yrs \$\$'s	\$/TxUnit
	Casella Pickup	1	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	
	Std Tipping Fee/Ton	400	\$ 95.00	\$ 38,000.00	\$ 38,000.00	
	Contam. Fee/Ton	400	\$ 35.00	\$ 14,000.00	\$ 14,000.00	
	Education Staff (.25 FTE)	500	\$ 40.00	\$ 20,000.00	\$ 20,000.00	
	TOTAL CURBSIDE \ Year			\$ 172,000.00	\$ 172,000.00	\$ 56.58

Recycling Only	Recycling Center (Single Stream)					
	Cost Element	Units	\$/Unit	2020 Budget \$\$	Following Yrs \$\$'s	\$/TxUnit
	Site Prep	1	\$ 26,000.00	\$ 26,000.00	\$ -	
	Compactor	1	\$ 31,000.00	\$ 31,000.00	\$ -	
	Ed. & Attend. (.75 FTE)	1500	\$ 40.00	\$ 60,000.00	\$ 60,000.00	
	Annual # Hauls	80	\$ 250.00	\$ 20,000.00	\$ 20,000.00	
	Std Tipping Fee/Ton	300	\$ 95.00	\$ 28,500.00	\$ 28,500.00	
	Contam. Fee/Ton	300	\$ -	\$ -	\$ -	
	Increased Trash	100	\$ 75.00	\$ 7,500.00	\$ 7,500.00	
	TOTAL Recycling Center (Zero Sort) \ Year			\$ 173,000.00	\$ 116,000.00	\$ 38.16

Recycling Only	Recycling Center (Sorted Onsite - only cardboard, #1&#2 Plastics, and metals)					
	Cost Element	Units	\$/Unit	2020 Budget \$\$	Following Yrs \$\$'s	\$/TxUnit
	Site Prep	1	\$ 26,000.00	\$ 26,000.00	\$ -	
	Compactor	1	\$ 31,000.00	\$ 31,000.00	\$ -	
	2 Silver Bullets	2	\$ 5,000.00	\$ 10,000.00	\$ -	
	Ed. & Attend. (.75FTE)	1500	\$ 40.00	\$ 60,000.00	\$ 60,000.00	
	Annual # Hauls	57	\$ 250.00	\$ 14,250.00	\$ 14,250.00	
	Increased Trash	250	\$ 75.00	\$ 18,750.00	\$ 18,750.00	
	TOTAL Recycling Center (Sorted Onsite) \ Year			\$ 160,000.00	\$ 93,000.00	\$ 30.59

## Assumptions:

- 1) Annual Recyclables = 400 tons (2018 data).
- 2) Casella biweekly pickup charge = \$100,000.
- 3) Recycling tipping fee = \$95.00/ton (\$65/ton plus variable year-end true-up).
- 4) Recycling Contamination Costs (estimates):
  - With education: \$35.00/ton.
  - With Education and staff attendants: \$0/ton.
- 5) Education and Recycling Center Staff (Ed. & Attend.): \$20/hr with 100% overhead.
- 6) Estimated hauling costs: \$250/trip.
- 7) Number of taxable units (TxUnit - Residential, Mixed, and Commercial): 3,040. Assumes 10-yr amortization of capital expenses.
- 8) Does not include additional costs (\$33,500 in 2019) for cardboard pickup at Dock Square and Bradbury's.
- 9) See separate sheet for costing backup.

# Education is the Key to Success

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- Proposed education plan is under development and will reflect choices made by Kennebunkport (Curbside or Recycling Center, and if at Recycling Center whether Single Stream or sorted)
  - If sorted at Recycling Center option is chosen:
    - Committee will develop a tool-kit (similar to Ecomaine's) that will guide residents in the proper mechanics of recycling so residents know what can be taken to the Recycling Center and what will go in regular garbage pails
    - Town staff member will guide residents at the Center when materials are dropped off
    - Intern will work with town staff and committee to prepare for opening date (July 2020)
    - Intern will work with realtors and owners of rental cottages to try to get owners to collect and bring recyclables to Center. Private hauler would be an option

# Education is the Key to Success

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- If Single Stream (Curbside or Recycling Center) option is chosen:
  - Education plan will be led by Ecomaine's 3-person education department, with materials supplied by Ecomaine (stickers for bins, Dos and Don'ts cards and fridge magnets, free Recyclopedia app, access to videos, press releases, youth education and coordination with Consolidated). The goal will be to begin operation July 2020
  - Town intern and SW Committee will work with Casella during the start-up phase to monitor recycling materials and guide residents to reduce contamination (soiled pizza boxes, plastic bags or film, plastic without recycling symbols, containers with liquid/food, batteries, etc.)
  - Intern, with Ecomaine's support, will develop literature and a plan to work with realtors and owners of rental cottages to get cooperation in the collection (and, if Recycling Center option chosen, the delivery) of recyclable materials

# Committee's Recommendation

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- The Solid Waste Committee recommends: **Curbside** (with focused education)
- Our reasoning:
  - Most flexible option for a changing recycling market
  - Largest potential reduction in solid waste volumes (costs)
  - Best option to recycle the largest variety and volume of materials
  - Best option to capture renters' recyclables
  - Most sensitive to seniors and physically challenged residents
  - Avoids need to increase town staffing
  - Only \$26/year more expensive for the average household than the cheapest option



# Thank You

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## Questions?

### **Solid Waste Committee**

- Mike Claus (Town Representative)
- Jon Dykstra (Chairperson)
- Dave Eglinton
- Harvey Flashen
- Paul Hogan (Secretary)
- Tom McClain
- Kinder Wilson



## TOWN OF KENNEBUNKPORT, MAINE

~INCORPORATED 1653~

MAINE'S FINEST RESORT

**To:** Laurie Smith  
**From:** Michael Claus, Public Works Director  
**Date:** January 3, 2020  
**Re:** Proposed Street Opening Moratorium

A handwritten signature in dark ink, appearing to read "Michael W. Claus", written in a cursive style.

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To protect Town Infrastructure Public Works is proposing a 5-year Street Opening Moratorium for newly paved Town roads. Our Moratorium would be the same length as the current MaineDOT Street Opening Moratorium for Route 9 and North Street.

Public Works will notify Utilities and Abutting Property Owners of our Annual Capital Paving Program on April 1<sup>st</sup> after our Capital Paving Plan has been reviewed by the Budget Board and Selectmen. This notification will allow a 60 day period for street opening work to be accomplished and allow for a written request of time extension for a street opening. Public Works will develop a page on the Town Website showing: Streets to be Paved / Date of Notification / Date of Actual Top Course Paving and Start of Moratorium Period / Date of End of Moratorium.

Exceptions to the Street Opening Moratorium could be granted for Emergency or Public Safety reasons. Repairs for Street Openings during the Moratorium period would require a Mill and Fill Paving repair 25 feet each side of street opening for the full width of the road.

**Excavations in reconstructed or resurfaced streets:**

Whenever the Town has developed plans to reconstruct or resurface a street, the Town or its representative shall give written notice thereof to all abutting property owners, to the Town departments, and to all public utilities that have or may wish to lay pipes, wires, or other facilities in or under the highway. Upon receipt of such written notice, such person or utility shall have sixty (60) days in which to install or lay any such facility. If an extension of time is needed by a person or utility for the installation of such facilities, the person or facility shall make a written application to the Town explaining fully the reasons for requesting such an extension of time. At the expiration of the time fixed and after such street has been reconstructed or resurfaced, no permit shall be granted to open such street for a period of five (5) years from installation of Hot Mixed Asphalt Surface Course Layer, unless an emergency condition exists or unless the necessity for making such installation could not reasonably have been foreseen at the time such notice was given. The above mentioned five (5) year moratorium for street openings also pertains to all new public or private streets, i.e. new subdivisions or developments that have been accepted in accordance with Town specifications.