

TOWN OF KENNEBUNKPORT, MAINE

Board of Selectmen Agenda

May 13, 2021 @ 6:00 PM

VIRTUAL MEETING VIA ZOOM ([Instructions](#))

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Join by **computer or mobile device** and click on <https://zoom.us/j/93142732240>

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1. Call to Order.
2. Approve the April 22, 2021 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. Joint public hearing with the Planning Board on the proposed amendments to the Land Use Ordinance on the June 8th municipal ballot:
5. Public hearing on the following ordinance questions on the June 8th municipal ballot.
 - a. Proposed amendments to the Animal Control Ordinance.
 - b. Proposed Short Term Rental Ordinance.
 - c. Proposed amendments to the Administrative Code.
6. Consider renewal liquor license application submitted by Arundel Wharf Restaurant located at 43 Ocean Avenue.
7. Consider renewal liquor license application submitted by Musette LLC located at 2 Pier Road.
8. Presentation of award to Addie Redmond for notifying the Fire Department of a dangerous situation with a tree and live wires during a recent windstorm.
9. Presentation by Colony Hotel.
10. Consider Government Wharf budget.
11. Consider Cape Porpoise Pier budget.
12. Consider Dock Square Budget.
13. Consider Recreation Special Revenue Budget.

14. Award bid for SCBA Bottles.
15. Other Business.
16. Approve the May 13, 2021, Treasurer's Warrant.
17. Executive Session per (MRSA 1, §405-6D) for discussion of union negotiations.
18. Executive Session per (MRSA 1, §405-6E) for discussion of a real estate matter.
19. Adjournment.

AGENDA ITEM DIVIDER

Town of Kennebunkport
Board of Selectmen Meeting VIA Zoom
April 22, 2021
6:00 PM

MINUTES

Selectmen attending via Zoom: Allen Daggett, Patrick Briggs, Sheila Matthews-Bull, Edward Hutchins and D. Michael Weston.

Others attending via Zoom: Laurie Smith, David Powell, Tracey O’Roak, Jamie Mitchell, Chris Simeoni, Werner Gilliam, Alison Kenneway, Morgan Bates, Garrett Hooper, Jon Dykstra and others.

1. Call to Order

Selectman Daggett called the meeting to order at 6:00 PM. He took roll call of Selectmen present: Allen Daggett, Patrick Briggs, Edward Hutchins, Sheila Matthews-Bull and D. Michael Weston.

2. Approve the April 8, 2021 and April 12, 2021 selectmen meeting minutes.

Motion by Selectman Weston, seconded by Selectman Briggs to approve the April 8, 2021 selectmen meeting minutes. **Roll Call Vote:** Briggs, Weston, Hutchins, and Daggett. Matthews-Bull abstained. **Voted: 4-0. Motion passed.**

Motion by Selectman Hutchins, seconded by Selectman Briggs to approve the April 12, 2021 selectmen meeting minutes. **Roll Call Vote:** Briggs, Weston, Hutchins, and Daggett. **Voted: 5-0. Motion passed.**

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.)

There were no public comments.

4. Public hearing and consideration of a new liquor license submitted by JPRE LLC d/b/a Roma Pizza KPT, 5 Union Street.

Motion by Selectman Hutchins seconded by Selectman Briggs to open the public hearing to consider a new liquor license submitted by JPRE LLC d/b/a Roma Pizza KPT, 5 Union Street. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted: 5-0. Motion passed.**

Chair Daggett opened the public hearing at 6:04 pm.

There were no public comments.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to close the public hearing at 6:04 PM. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

Chair Daggett closed the public hearing at 6:04 pm.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to approve the new liquor license submitted by JPRE LLC d/b/a Roma Pizza KPT, 5 Union Street. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

5. Consider renewal liquor license application submitted by Maine-ly R English Inc d/b/a 1802 House Bed and Breakfast Inn, 15 Locke Street.

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs to approve the liquor license submitted by Maine-ly R English Inc d/b/a 1802 House Bed and Breakfast Inn, 15 Locke Street. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

6. Consider application submitted by the Dow House Family Limited Partnership to reconstruct the existing wooden dock located at 26 Agamenticus Avenue and make it for year-round use.

Chair Daggett stated that the Selectmen had a site visit on April 12th at 5:30 pm.

Motion by Selectman Hutchins, seconded by Selectman Briggs to approve the dock application and move it to Planning Board. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

7. Consider amendment to Administrative Code.

Laurie Smith, Town Manager, explained the proposed amendment to the Administrative Code. This amendment, if approved at Town Meeting, would change the duties of Assessor to an appointed position, rather than have it fall under the Board of Selectmen duties. The Administrative Code Committee met last week, reviewed the changes and approved them.

Motion by Selectman Briggs, seconded by Selectman Matthews-Bull to approve the proposed amendment to the Administrative Code. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

8. Authorize and sign the June 2021 town meeting warrant.

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

9. Certification of the proposed referendum questions for the June town meeting warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to certify the proposed ordinance revisions for the June town meeting warrant. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

10. Set public hearing date of May 13, 2021 to consider the ordinance revisions proposed on the June 8, 2021 town meeting warrant.

Motion by Selectman Matthews-Bull, seconded by Selectman Weston to set a public hearing date of May 13, 2021 for consideration of proposed ordinance revisions. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

11. Countersign the RSU 21 Budget Validation Referendum Election Warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to authorize and sign the RSU 21 Budget Validation warrant. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

12. Presentations by Public Health interns.

Morgan Bates, a UNE student intern, presented the results of a needs and assessment survey of Kennebunkport residents.

Garrett Hooper, a UNE student intern, presented the results of mapping Healthy Maine Beach data to be used for community education.

13. Certification of Commitment of Sewer User Rates.

Chris Simeoni, Deputy Public Works Director gave an overview of the sewer user rates.

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

14. Consider approval for purchase of Green Street & Chick's Creek Pump Station grinder heads.

Chris Simeoni, Deputy Public Works Director, gave a summary of this request. Because they are currently proposing to move ahead with the replacement of three major pump stations, they would like to defer the purchase of the spare pump station motors and re-allocate the funds to purchase the grinder heads for both the Green Street and Chick's Creek Pump Stations. They have received proposals from Williamson Pump & Motor for the purchase and installation of the grinder heads at both pump stations totaling

April 22, 2021 BOS Meeting Minutes

\$29,295.00. The Wastewater Department is seeking authorization to purchase and to sole source them as Williamson Pump & Motor is the only Barnes pump dealer in the northeast and installation work needs to be completed by their techs to ensure they are installed to manufacturer specified tolerances.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull to authorize the purchase and installation of the grinder heads at both pump stations totaling \$29,295 from Williamson Pump & Motor. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

15. Authorize and sign Disaster Mutual Aid Agreement for York County.

Laurie Smith, Town Manager, reviewed the Disaster Mutual Aide Agreement for York County. It will authorize the Town to use personnel for the Sanford vaccination clinic and receive reimbursement from FEMA.

Motion by Selectman Hutchins, seconded by Selectman Weston to authorize and sign the Disaster Mutual Aid Agreement for York County. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

16. Accept donation of \$4,500 from A & W LLC for softball.

Mike Claus, Public Works Director, and Breese Regal, Interim Parks & Recreation Director, gave an update on the creation of a new softball field.

Motion by Selectman Hutchins, seconded by Selectman Briggs to accept the donation of \$4,500 from A & W LLC for the softball field. **Roll Call Vote:** Briggs, Weston, Hutchins, and Matthews-Bull. Selectman Daggett abstained. **Voted:** 4-0. **Motion passed.**

17. Other Business.

No other business.

18. Approve the April 22, 2021, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Briggs to approve the April 22, 2021 Treasurer's warrant. **Roll Call Vote:** Briggs, Weston, Hutchins, Matthews-Bull, and Daggett. **Voted:** 5-0. **Motion passed.**

19. Executive Session per (MRSA 1, §405-6E) for discussion of disposition of real estate.

20. Adjournment.

Motion to adjourn was made, seconded and approved after discussion in Executive Session.

Submitted by,
Tracey O'Roak, Administrative Assistant

AGENDA ITEM DIVIDER

PROPOSED AMENDMENT TO THE KENNEBUNKPORT LAND USE ORDINANCE CONCERNING RESIDENTIAL MIXED USE STRUCTURES

Shall an ordinance entitled “2021 Amendment to the Kennebunkport Land Use Ordinance concerning residential mixed use structures be enacted? (A true copy of which is on file in the Town Clerk’s Office and is incorporated by reference.)

[Note of Explanation: This amendment would allow Residential mixed use as a conditional use within the Dock Square Zone as well as increase the number of residential units from 2 to 4. All other residential mixed-use standards remain in effect.]

Note: Underlined language is proposed to be inserted and words ~~stricken out~~ are proposed to be removed. All other portions of the ordinance are proposed to remain unchanged.

Article 240-2.2: DEFINITIONS:

RESIDENTIAL MIXED USE: A primary use to which a principal building may be devoted which blends and combines a residential use with a commercial use. ~~located within no more than one principal building on a lot.~~ For purposes of minimum lot size calculations, outside of the Shoreland Zone, a Residential Mixed Use as defined shall be considered a single use.

Article 240-4.5: ZONE REGULATIONS:

Add to Dock Square Zone as a Conditional Use subject to Site Plan Review:

4.5 Dock Square Zone: Residential Mixed Use

Article 240-7.13 RESIDENTIAL MIXED USE

- G. The number of dwelling units permitted with a commercial use as identified in the definition of Residential Mixed Use shall be limited to ~~two~~ four.

AGENDA ITEM DIVIDER

Adopted at the Annual Town Meeting on June 9, 2015
Amended November 3, 2015

ANIMAL CONTROL ORDINANCE

Section A: Purpose

The purpose of this ordinance is to require that all animals in the Town of Kennebunkport be kept under the control of their owner or keeper at all times so that they will not injure persons or other animals, damage property or create a public safety threat.

The provisions of this ordinance that apply to the owner of an animal apply equally to any person keeping, or having control, custody or possession of that animal.

Section B: Definitions

1. ANIMAL: Every living, sentient creature not a human being.
2. ANIMAL CONTROL: Control of dogs, cats and domesticated or undomesticated animals.
3. ANIMAL CONTROL OFFICER: Any person appointed by the Town of Kennebunkport to enforce animal control laws.
4. ANIMAL SHELTER: A facility that includes a physical structure that provides temporary shelter to stray, abandoned, abused or owner-surrendered animals.
5. AT LARGE: Off the premises of the owner, unleashed and not under the Voice and Sight control of a responsible party.
6. BEACH: The beaches within the Town of Kennebunkport commonly referred to as Goose Rocks Beach, Colony Beach, and Cleaves Cove.
7. DOG: Any of large and varied groups of domesticated animals in the canine family.
8. LEASH: Hand held device, 15 feet or less in length, which can be used to restrain a dog.
9. LIMITED DOG ACCESS AREA: Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that is designated by the Board of Selectmen or designee for special protection of piping plovers or other endangered species based upon scientific and historical data, where dogs may be either prohibited entirely or permitted only if on-leash based on time of day and/or date, as

provided herein or pursuant to rules adopted hereunder. This designation may be seasonal or permanent.

10. **NESTING AREA:** Any beach area on Goose Rocks Beach, Colony Beach or Cleaves Cove, that has been roped off, fenced off or otherwise demarcated or posted by governmental officials or their agents to protect the nesting site of a piping plover or of any other endangered species protected under federal or state law.
11. **OWNER:** Owner or any person or persons, firm, association or corporation owning, keeping or harboring an animal or any person having custody, possession, or control of an animal.
12. **RESPONSIBLE PARTY:** Any person who has custody, possession or control of a dog, whether or not that person is the Owner.
13. **VOICE AND SIGHT CONTROL:** "Voice Control" means that the dog returns immediately to and remains by the side of the responsible party in response to the responsible party's verbal command. "Sight Control" means that the dog is always within sight of the responsible party and the dog is capable of complying with Voice Control. If a dog approaches or remains within 10 feet of any person other than the responsible party, that dog is not under voice control and is in violation of this Ordinance unless such person has communicated to the responsible party by spoken word or gesture that such person consents to the presence of the dog. A dog barking repeatedly is not considered under Voice and Sight Control.

Section C: Requirements for Control of Animals

1. **AT LARGE DOGS:** It is unlawful for any dog, licensed or unlicensed, to be at large within the Town of Kennebunkport, except when used for hunting. Dogs shall be considered at large unless leashed or under Voice and Sight Control of a responsible party. A responsible party shall maintain control of their dog(s) at all times, not allow the dog(s) to charge, chase or display aggression towards any person, or disturb or harass any person, other dogs or wildlife. A responsible party shall have a leash in his/her possession for any dog that is off leash. The owner of any dog found at large or otherwise in violation of this section will be subject to the civil penalties provided in the Ordinance and/or Maine State Law, Title 7, Section 3911.
2. **DOGS LEASHED:** A leash shall be used to restrain a dog: (a) if the dog fails to respond to voice commands when off the premises of the owner, (b) when a dog is walking with a responsible party on roads and sidewalks in the Town of Kennebunkport, or (c) if the responsible party is ordered by the Animal Control Officer or a law enforcement officer to leash the dog. The owner of any dog found in violation of this section will be subject to the civil penalties provided in the Ordinance.

3. **IMPOUNDMENT OR RETURN OF AT LARGE DOGS:** All dogs found at large in violation of this Ordinance or Title 7, M.R.S.A., Section 3911 may be impounded at the animal shelter or returned to the owner, at the discretion of the Animal Control Officer or law enforcement officer.
4. **LICENSES:** No dog shall be kept within the limits of the Town of Kennebunkport unless such dog is licensed by the owner in accordance with Maine State Law.
5. **RABIES TAGS:** Rabies tags obtained from a veterinarian for immunization against rabies must be securely attached to the dog's collar and must be worn by the dog for which the tag was issued except when the dog is hunting, in training or in an exhibition or on the premises of the owner.
6. **CONTROL OF ANIMAL WASTE:** An owner or responsible party must remove and dispose of any feces left by his/her animal on any sidewalk, street, beach, public property or private property (other than the property of the owner of the animal or of a person who has consented to the presence of the animal on his or her property). Deposit of feces left off property of the owner shall be placed in an appropriate litter receptacle.

Section D: Requirements for Dogs on Beaches

1. **AUTHORITY:** The Board of Selectmen shall have the authority to adopt specific rules governing dogs on Goose Rocks Beach, Colony Beach and Cleaves Cove that are more restrictive than the provisions of Section C or Section D(2) of this Ordinance. For example, the Board of Selectmen or designee may designate Limited Dog Access Areas on these beaches for special protection for piping plovers or other endangered species based upon scientific and historical data consistent with state and federal laws governing endangered species. For specific rules governing dogs on Goose Rocks Beach, the Board of Selectmen shall have the authority to adopt such rules after consultation with the Goose Rocks Beach Advisory Committee, in accordance with Section IV.D of the Beach Use Ordinance for Goose Rocks Beach.
2. **DOG RESTRICTIONS ON BEACHES:** The following restrictions apply to dogs on the following beaches located within the Town of Kennebunkport: Goose Rocks Beach, Colony Beach and Cleaves Cove.
 - a. An owner or responsible party shall always be required to leash their dog on any of the applicable beaches referenced above when directed to do so by a law enforcement officer or Animal Control officer.
 - b. Pet waste must be picked up immediately and disposed of properly in an appropriate litter receptacle.

- ~~e. The West End Plover Protection Area at Goose Rocks Beach ("WEPPA"), which begins at Norwood Avenue and continues westerly to the Batson River, is designated a Limited Dog Access Area.~~
- ~~d. From April 1 to September 30, in the Limited Dog Access Areas, dogs must be on-leash at all times, except that from June 15 to September 30 between 8:30 am and 6:00 pm, no dogs are permitted on the beach (see Section 2 (i) below).~~
- e.c. From April 1 to September 30~~15~~, no dog shall approach or remain within 200 feet of any clearly marked Nesting Area, except that lawns or upland properties within 200 feet of a Nesting Area are excluded from this requirement. dogs may be on the beach at any time of day except as set forth in subsection (d) below but must be on leash at all times.
- ~~f.d. From April 1 to September 30, dog owners who live within 200 feet of a Nesting Area must leash their dog when attempting to access the beach and stay as far away as possible from the Nesting Area. From June 15 through Labor Day, dogs are not permitted on the beach from 9:00 AM to 5:00 PM. This provision does not apply to use of a service dog by a person with a disability when the dog is required to perform work or tasks directly related to the person's disability.~~
- ~~g. From April 1 to June 14th, dogs must be on leash on the beach at all times other than between 6:00 am and 7:30 am, when they may be off leash if under Voice and Sight Control, except to the extent the restrictions in Sections D(2)(d), (e) or (f) above may require otherwise.~~
- ~~h. From June 15 to September 30, if under Voice and Sight Control, dogs may be off leash on the beach between 6:00 am and 7:30 am, except to the extent the restrictions in Sections D(2)(d), (e) or (f) above may require otherwise.~~
- e. From June 15 to September 30, dogs are not permitted on the beach between 8:30 am and 6:00 pm. This provision does not apply to use of a service dog by a person with a disability when the dog is required to perform work or tasks directly related to the person's disability. Between 6:00 pm and 6:00 am and between 7:30 am and 8:30 am, dogs are permitted on the beach if on leash, except to the extent the restriction in Section D(2)(e) or (f) above may require otherwise. Between 6:00 am and 7:30 am, dogs may be off leash, if under Voice and Sight Control, except to the extent the restrictions in Sections D(2)(d), (e) of (f) may require otherwise. From September 16 through March 31, if under voice and sight control, dogs may be off leash on the beach, except for the hours of 12:00 PM to 6:00 PM when they must remain on leash, and except to the extent the rules in Section D(2)(a) above may require otherwise.
- i.f. At any time that a dog is permitted to be on the beach, the dog must be kept at least 200 feet away from a Nesting Area, except that lawns or upland

properties within 200 feet of a Nesting Area are excluded from this requirement.

- ~~j. From October 1 through March 31, if under Voice and Sight Control, dogs may be off leash on the beach, except between 12:00 pm and 2:00 pm when they must remain on leash.~~

Section E: Rulemaking Authority governing Other Public Resources

Notwithstanding the general rules found in Section C herein, the Board of Selectmen shall have the authority to adopt specific rules governing dogs on other publicly owned or operated lands located within the Town of Kennebunkport, such as public parks.

Section F: Penalties

1. Any person who violates any provision of this Ordinance shall be subject to civil penalties for each violation, as follows:

First violation: not less than \$50.00 and not more than \$100.00, plus costs and reasonable attorneys' fees.

Second violation: not less than \$100.00 and not more than \$250.00, plus costs and reasonable attorneys' fees.

Third and subsequent violations: not less than \$250.00 and not more than \$500.00, plus costs and reasonable attorneys' fees.

2. Notwithstanding multiple violations of this Ordinance, any person who violates Section C(4) (Licenses), or Section C(5) (Rabies Tags) of this Ordinance shall be subject to a civil penalty of not more than \$100.00 for each offense, consistent with 7 M.R.S.A. §§3918, 3924.
3. All civil penalties collected pursuant to this Ordinance shall be recovered to the use of the Town of Kennebunkport and deposited in the separate account required by 7 M.R.S.A. Section 3945.
4. A person issued a civil violation citation for violating this Ordinance may elect to pay the minimum penalty specified above for each violation alleged in the citation, in lieu of appearing in court to answer the citation. Such payment must be received at the Office of the Town Clerk in the amount specified by the Animal Control Officer by the seventh day prior to the court appearance date specified in the citation. Upon receipt of such payment by the Clerk, the Animal Control Officer or law enforcement officer shall cause the citation to be dismissed. However, the violations alleged in the citation shall be deemed admitted for purposes of assessing any future penalties under this section.

5. Any civil penalty collected for a violation of this Ordinance shall not preclude the Town from imposing or collecting a fine or penalty for a violation of the Barking Dog Ordinance (adopted March 10, 1984).

Section G: Severability Clause

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Barking Dog Ordinance

Adopted at the Annual Town Meeting on March 10, 1984
Amended June 18, 2005

The owner of a dog or dogs, or the person having control over a dog or dogs, which disturb the peace of any person by frequently and habitually barking, howling, or creating other noise shall be punished, on the first offense, by a fine of not more than \$50.00. The second offense within a six month period shall be punished by a fine of not more than \$100.00. The third offense within a one year period shall be punished by a fine of not more than \$500.00 and the Town may ask the Court to order that such dog or dogs be forthwith removed from Town. All costs incurred by the Town as a result of prosecution, including attorneys' fees, shall be recoverable from the owner or person having control of said dogs.

PROPOSED SHORT TERM RENTAL ORDINANCE

Shall an ordinance entitled "An act to establish a Short-Term Rental Ordinance" be enacted?

[Note of explanation: This amendment seeks to require disclosure and licensing of short-term rentals operated within the Town of Kennebunkport, and ensure that residential neighborhoods are not unduly impacted by the operation of short-term rentals within the Town.]

Kennebunkport Short-term Rental Ordinance

A. Purpose:

The purpose of this ordinance is to require the disclosure and licensing of short-term rentals operated within the Town of Kennebunkport. Furthermore, this Ordinance is intended to ensure that residential neighborhoods are not unduly impacted by the operation of short-term rentals within the Town. This will be accomplished by a licensing program that enables the Town to monitor and track the proliferation of short-term rentals within its borders, includes modest performance standards intended to protect property owners, renters, and neighbors along with limits to the numbers of short-term rentals within the community. Due to the historic nature and longstanding tradition of short-term rentals within the Goose Rocks Beach neighborhood, this limited area will not be subject to licensing limits; it will, however, still be subject to all other requirements in this ordinance.

B. Applicability:

1. Permitted short-term Rentals. Legally existing residential dwelling units may be used as short-term rentals upon the issuance of a short-term rental license for the premises in accordance with the requirements of this Ordinance.
2. Prohibited short-term Rentals. No person may offer for rent, operate, or otherwise use any dwelling unit in the Town of Kennebunkport for short-term rentals if:
 - (a) Such person has not secured or maintained a valid short-term rental license for the premises; or
 - (b) The accommodations are an accessory apartment constructed or permitted after November 3, 2009, or a recreational vehicle, trailer or tent.
3. Lodging Establishments Exempt. The following lodging establishment uses are exempt from the licensing requirements and standards of this Ordinance: hotels, motels, bed and breakfasts, inns, seasonal rental accommodation complexes, and residential rental accommodations.

C. Definitions:

Advertising: Any form of communication for marketing that is used to encourage, persuade or manipulate viewers, readers or listeners into contracting for goods and/or

services as may be viewed through various media, including, but not limited to, newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites or text messages.

Dwelling unit: One or more rooms arranged for complete, independent housekeeping purposes with space for living and sleeping; space or facilities for eating or cooking; and provisions for sanitation. For purposes of this regulation Recreational vehicles are not considered dwelling units.

Good Neighbor guidelines: A document prepared by the town that summarizes the general rules of conduct, consideration, and respect, including, without limitation, provisions pertaining to the use and occupancy of a dwelling unit used or occupied as a short-term rental.

Goose Rocks Beach Neighborhood: (See the area defined on Exhibit A).

Owner: An individual person or persons or an entity that is the owner of record of real property as documented by deed or other document evidencing ownership recorded at the York County Registry of Deeds.

Residential rental accommodations: The permitted accessory use of no more than two bedrooms in a legally existing dwelling or dwelling unit. This dwelling unit shall be an owner-occupied dwelling. Rooms rented may be for either short term or long-term rental to a roomer who may be unrelated to the owner or occupant of the unit. Individual rooms shall be rented no more than once per week. For purposes of this definition, a week shall be defined as Monday through Sunday.

Seasonal rental accommodation complex: a lodging business located on one parcel of land that makes a room, a group of rooms, and/or cottages available for a tenancy of less than 30 days on a seasonal basis.

Short-term rental: The use, control, management or operation of a legally existing residential dwelling unit offered for rent for transient occupancy for dwelling, sleeping or lodging purposes by short-term rental guests for a tenancy of less than 30 consecutive days, for compensation, directly or indirectly, excluding motels, hotels, bed and breakfasts, inns, seasonal rental accommodation complexes, and residential rental accommodations.

Short-term rental guest: Any person who rents, licenses, occupies or has the right to occupy a dwelling unit for less than 30 consecutive days.

D. General Requirements:

1. License Required: No short-term rental shall be advertised, rented, or operated without first obtaining a short-term rental License. A short-term rental license shall be valid for the calendar year for which the license is issued. The property must remain

in compliance with the short-term rental license for the calendar year in which the license is issued.

a. Short-term rental license renewal. Short-term rental licenses shall expire on December 31st of each calendar year, and short-term rental license holders may renew such license by submitting a renewal application, via a renewal process established by the Town. After the effective date of this Ordinance, any duly licensed short-term rental may continue operating as long as the license is current and renewed on or before the annual renewal deadline established by the Town. If the license is not renewed within the prescribed timeframe, the license expires, and this protection clause no longer applies. Any renewal application received after the advertised deadline for submission shall be considered late and deemed a new application.

b. The Board of Selectmen shall establish fees for the licensure of short-term rentals. Licensing fees for short-term rentals shall be assessed based upon the following criteria:

- i. Tier I: Short-term rentals with 0-3 bedrooms.
- ii. Tier II: Short-term rentals with 4+ bedrooms.

2. Non-transferability. Short-term rental licenses issued under this Ordinance shall not be transferable to a new Owner or location. Any Change of Ownership shall require a new license, except transfers of the real estate and related license in a Permitted Transfer. A "Permitted Transfer" is a transfer of the subject real estate and the related license to a Permitted Transferee. A "Permitted Transferee" includes (1) another current Owner of the subject real estate; (2) the spouse, child(ren) and/or grandchild(ren) of a current Owner; (3) a trust for the benefit of a current Owner, a current Owner's spouse, a current Owner's child(ren) and/or grandchild(ren) of a current Owner; or (4) for estate planning purposes, a trust, limited liability company ("LLC"), corporation or other entity, as long as the beneficiaries of the trust or owners of the entity, as applicable, are a current Owner, a current Owner's spouse, a current Owner's child(ren) and/or grandchild(ren) of a current Owner. In the case of a transfer to a Permitted Transferee, the Permitted Transferee shall become a "Licensee" and an "Owner", and the definition of "Permitted Transferee" shall apply to the new Licensee/Owner.

Licensees/Owners shall be required to certify that they comply with the provisions of this section annually and that they have not engaged in any transfers, or been transferees in any transfers, that are not Permitted Transfers. See Section F.3 herein.

Licenses are limited to the dwelling unit for which they are issued and shall not be transferable to a different dwelling unit.

3. Advertising: It shall be unlawful to advertise occupancy or use of a short-term rental that has not been licensed. Licensed short-term rentals in good standing may advertise for beyond the current licensing year. For the purposes of this section, the term "advertise" shall mean any form of communication for marketing that is used to encourage, persuade, or manipulate viewers, readers or listeners into contracting for goods and/or services as may be viewed through various media included, but not limited

to newspapers, magazines, flyers, handbills, television commercials, radio, signage, direct mail, websites or text messages. The short-term rental advertising must be consistent with the terms of the short-term rental license, and all advertisements of the short-term rental must include the current short-term rental license number.

4. Registration record: The short-term rental owner must (a) maintain accurate, up-to-date records of all rental transactions involving the short-term rental, including the number of tenants and the length of their stays, and upcoming reservations; and (b) present said information to Town inspection officials upon request. Failure of the short-term rental owner to provide this information within 5 business days of a Town request for the same shall be considered a violation of this section.

5. Notice: The short-term rental license holder must post in plain sight near the entrance to the short-term rental a notice that identifies the short-term rental license number, and the name, address, phone number(s), and email address of the owner of the short-term rental, and/or the owner's local contact person. Such notice may be posted in plain sight in the interior of the short-term rental. The short-term rental license holder shall also post the license provided by the Town.

E. Review Procedure:

Issuance procedure:

1. Application submission; completeness. short-term rental License applications shall be submitted to the Town Clerk. Applications for licenses for the upcoming calendar year may be submitted beginning in October of the previous license year. The Town Clerk, or the Town Clerk's designee, shall review all applications for completeness and accuracy and in the order that they were received.

2. Application, License fee. The Town Clerk shall provide a short-term rental application to be completed by the applicant and submitted to the Town Clerk accompanied by the short-term rental license fee as established by the Board of Selectmen. The short-term rental application shall include a non-exclusive checklist of code requirements that the property owner shall demonstrate compliance with.

3. Town clerk authority. The Town clerk shall have the authority to issue a short-term rental license. The Town Clerk, or the Town Clerk's designee, shall determine if the application has been properly completed before any license is issued.

4. Inspection.

Anytime that a short-term rental application is submitted for a property, the short-term rental applicant shall certify on the short-term rental application that the proposed short-term rental property complies with the short-term rental standards in section G, and with building code requirements.

The Code Enforcement Officer shall inspect the licensed premises once every five years, to determine compliance with the short-term standards in Section G.

5. Transitional Provisions for Licensing of Pre-Existing short-term Rentals. Persons or entities who operated a legally-existing residential dwelling unit as a short-term rental and who received reservations for short-term rentals at the same premises prior to the

Effective Date of this Ordinance shall be required to obtain a Short-term rental license for said premises by submitting an application to the Town Clerk by the advertised date which application must contain an affidavit or other sworn statement by the Owner, along with documented evidence, certifying that the premises were previously used for short-term rental use by one or more tenants for a period of less than 30 consecutive days per tenancy and for at least fourteen (14) total days in a calendar year in any one of the following years: 2019, 2020, or 2021.

Upon review and approval of a timely application submitted for a license containing sufficient evidence of previous short-term rental use as required above, the Town Clerk shall issue a license for each such premises, without the need for a prior inspection of said premises by the Code Enforcement Officer or designee as is otherwise required in section E(4).

6. Issuance. If the Town Clerk, or the Town Clerk's designee, in consultation with the Code Enforcement Officer, determines that the proposed short-term rental application complies with the short-term rental Standards, the Town Clerk shall issue the applicant a short-term rental license in accordance with the limits established in Section I below.

F. Submission Requirements:

The short-term rental license application shall include the following information:

1. Location. The street address and map/ block/lot number of the short-term rental property.
2. Contact Person/Owner Responsibility. The name of the owner of the short-term rental property and contact information, including address and telephone number. If the owner is anything other than a natural person, then the following information must also be included: the name of each individual person who has an ownership interest in any entity that is the record owner, including, without limitation, all beneficiaries of any trust, and all members and shareholders of a limited liability company, corporation or other entity. In addition, if someone other than the owner is acting as the local contact person, contact information for that person shall also be provided. Regardless of who enters the short-term rental agreement, or who may be designated as the owner's contact person, the property owner shall be responsible for compliance with the short-term rental Ordinance provisions.
3. For renewal applications, Licensees/Owners shall be required to certify annually that they have not engaged in any transfers of the licensed premises, or been transferees in any transfers, that are not Permitted Transfers under Section D.2 of this Ordinance.
4. All information needed to demonstrate compliance with the standards listed below.

G. Standards:

The Town Clerk shall issue a short-term rental license upon the applicant satisfying the above requirements if the following standards are met:

1. Code compliance. An applicant's property, without limitation, shall comply with the following building safety requirements.

a. Smoke Alarms: Smoke alarms shall be installed in the following locations:

1. In each bedroom.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. On each additional story of the dwelling, including basements and habitable attics.

b. Carbon Monoxide Alarms: If a house has an attached garage or a fuel fired appliance, a carbon monoxide alarm shall be installed outside each bedroom in the immediate vicinity of the bedrooms.

c. Portable Fire Extinguishers: At least one portable fire extinguisher shall be mounted in a prominent location. One size/type 2/A is required or two size/type 1/A extinguishers.

2. The applicant shall provide floor plans of the dwelling unit that shows the location of the alarms and fire extinguisher(s).

3. Sanitary waste disposal. The applicant shall submit information demonstrating that adequate sanitary waste disposal is available in compliance with the Maine Subsurface Wastewater Disposal Rules, or that the property is served by public sewer. This shall include the total number of bedrooms included in the property, any additional sleeping space, and the total number of tenants that the property accommodates. The total number of tenants used to determine adequacy of sanitary waste disposal shall not be less than the total number of tenants that the property is advertised to accommodate. For the purpose of evaluating the adequacy of a subsurface disposal system, every two tenants shall be equivalent to one bedroom.

4. Parking. The applicant shall include a depiction designating parking spaces that will be provided for tenants and guests on the same lot where the short-term rental is located. Guest parking at the short-term rental shall occur in parking spaces designated by the applicant, and the number of guest vehicles allowed at the short-term rental shall be limited to the number of on-site parking spaces designated by the applicant. Garage parking spaces not allowed for tenant use shall not be used to meet the short-term rental parking requirement. Tenants and guests of short-term rentals are prohibited from parking in a manner that impedes access by emergency vehicles to the property or any other dwelling in the neighborhood.

5. Good neighbor guidelines.

6. Occupancy limits.

The maximum tenant occupancy of a short-term rental shall be limited to no more than 2 tenants per bedroom, plus 2 additional tenants total for the entire dwelling unit. By way of example, the maximum tenant capacity for a three-bedroom dwelling short-term rental is eight (8) tenants (i.e., 3 bedrooms multiplied by 2 tenants, plus an additional 2 tenants for a total of 8).

H. Suspension and Revocation of License:

A license for a short-term rental may be conditioned, suspended, or revoked by the Board of Selectmen after a public hearing if the Board of Selectmen determine that a violation of this ordinance, any applicable statute, ordinance, or regulation, or short-term rental license certification, condition, or criteria has occurred.

1. Violations of this Ordinance. Violations of this ordinance include, but are not limited to, the following:

- a. Providing false or misleading information on an application, or renewal application, for a short-term rental license;
- b. Failure to provide the registration records as provided in Section D(4) within 5 business days of a Town request for such records;
- c. Failure to comply with the parking provisions of Section G(5) of this Ordinance;
- d. Failure to comply with the rental occupancy limits of Section G(7) of this Ordinance;
- e. Failure to acquire and/or display the required short term rental license number or include the license number in any advertising of the licensed premises;
- f. Violation of any short-term rental license certification, condition, or criteria;
- g. Violation of any statute, ordinance, or regulation applicable to the short-term rental property.

2. Complaints Concerning short-term rentals. The Code Enforcement Officer shall establish and maintain a log of all complaints for each short-term rental received and substantiated by the Town. The Code Enforcement Officer shall seek the correction of all substantiated complaints by the short-term rental license holder.

3. Suspension or Revocation of License. When, in the judgement of the Code Enforcement Officer, the nature and/or number of complaints warrants further review of the short-term rental license, the Code Enforcement Officer shall provide a report of the same to the Board of Selectmen for its consideration. The Board of Selectmen may condition, suspend, or revoke a short-term rental license, following a public hearing, on the basis of the licensee's non-compliance with this ordinance, any applicable law, ordinance, or regulation, or short-term rental license certification, condition, or criteria.

4. Appeal. Any person aggrieved by the decision of the Board of Selectmen to suspend or revoke a short-term rental license may appeal the decision of the Board of Selectmen to Superior Court, pursuant to Maine Rule of Civil Procedure 80B, within thirty (30) days of the Board of Selectmen's decision.

I. Limitations on Annual Licenses for Short-term Rental Units:

The Town Clerk shall issue short-term rental licenses on an annual basis. The total number of licenses issued in each calendar year shall be set annually by the Board of

Selectmen. The limitation on the total number of licenses set by the Board of Selectmen shall first go into effect on January 1, 2023.

1. Formula. The total number of licenses issued in each calendar year shall be set by the Board of Selectmen annually according to a formula based in part upon a percentage of the total number of residential dwelling units in the Town of Kennebunkport.

2. Goose Rocks Beach Neighborhood. No short-term rental located in the Goose Rocks Beach Neighborhood [as depicted on the attached map] shall be advertised, rented, or operated as a short-term rental without first obtaining a short-term rental license. Licensed short-term rentals located in the Goose Rocks Beach Neighborhood [as depicted on the attached map] shall not be counted towards the total number of short-term rental licenses to be set annually by the Board of Selectmen under Section I.1 herein, and to be issued on an annual basis thereafter by the Town.

3. Effective Date. This Ordinance and all the licensing standards contained herein shall go into effect on January 1, 2022.

J. Penalties for Violations; Enforcement

In the event the Owner or Owner's short-term rental guests violate this Ordinance or the terms and conditions of the license, the Town, in addition to the suspension or revocation of the then-current license pursuant to Section H above, may also prohibit the Owner from licensing the dwelling unit for 12 months following the current licensing expiration date, after which the owner may submit a new application for licensure.

Violations shall also be subject to fines and penalties as set forth in this section and in a penalty, schedule established by the Board of Selectmen.

Any such fines or penalties may be in addition to any suspension or revocation imposed in accordance with the provisions of Section H of this Ordinance.

The Town may institute or cause to be instituted any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this Ordinance. In any court action, the Town may seek injunctive relief in addition to or instead of fines/penalties. The Town shall be entitled to recover its costs of enforcement, including its reasonable attorneys' fees.

K. Additional Regulations

The Board of Selectmen may adopt regulations implementing the provisions of this Ordinance.

Chapter 5

Administrative Code

[**HISTORY: Adopted by the Town of Kennebunkport 3-26-1996; as amended through 6-12-2018. Subsequent amendments noted where applicable.**]

Article I

Elected Officers

§ 5-1 Town Meeting Moderator.

- A. Election. Each Town Meeting shall elect a Moderator as prescribed by statute.
- B. Qualification. The Town Meeting Moderator shall be a registered voter of the Town.
- C. Duties. In addition to the duties prescribed by statute, the Town Meeting Moderator shall appoint a sufficient number of members to the Budget Board to constitute a Board consisting of 12 members, the terms of four members expiring every three years.

§ 5-2 Selectmen.

- A. Number. There shall be five Selectmen elected at large, for staggered terms of three years each.
- B. Qualifications. Selectmen shall be registered voters of the Town.
- C. Vacancy. The office of a Selectman shall become vacant upon the death, resignation, nonacceptance, permanent disability, incompetence or removal from office in any manner authorized by law or by this code and upon the failure to qualify, failure to elect, or forfeiture of office.
- D. Forfeiture of office.
 - (1) A Selectman shall forfeit his office if he:
 - (a) Lacks at any time during his term of office any qualification for the office described by this code or by statute;
 - (b) Is convicted of a felony or a crime involving moral turpitude;
 - (c) Misses three consecutive regularly scheduled meetings of the Board for reasons other than those of health. If illness or health reasons are claimed, the Board may request verification from a doctor; or
 - (d) Misses five regularly scheduled meetings in any three-month period.
 - (2) If a Selectman's absence is due to extenuating circumstances as determined by a majority of the Board, the requirements of Subsection **D(1)(c)** and **(d)** above may be waived.

- E. Filling of vacancies. If a vacancy in the office of a Selectman shall occur when there are more than 90 days remaining before the next regular Town Meeting, the remaining Selectmen shall call a Special Town Meeting for the election of a qualified person to fill such vacancy. If a vacancy shall occur when there are less than 90 days remaining before the next regular Town Meeting, the remaining Selectmen may, in the exercise of their sole and absolute discretion, call a Special Town Meeting to fill such vacancy. If at any time two or more offices in the Board of Selectmen are vacant, a Special Town Meeting and election shall be held to fill such offices. In the event that all five positions on the Board of Selectmen are vacant, the aforesaid Special Town Meeting shall be called by the Town Clerk.
- F. Selectmen's salary. Selectmen shall be paid a yearly salary as determined by the Annual Town Meeting.
- G. Expenses. Selectmen shall be reimbursed for their actual and necessary expenses incurred during the performance of their duties, provided such expenses shall be approved by the full Board.
- H. General powers and duties. The Board of Selectmen shall have all powers of the Town which can be legally vested in the Board of Selectmen except as otherwise provided by ordinance, statute or this code.
- I. Enumeration of responsibilities. The powers and duties of the Board of Selectmen shall include, but not be limited to, the following:
- (1) ~~To be assessors and~~ To be overseers of the poor;
 - (2) To provide for an annual audit pursuant to statute;
 - (3) To appoint members of the Planning Board, the Zoning Board of Appeals, the Board of Assessment Review, and other boards, agencies and positions as provided by statute and by this code. The Board of Selectmen reserves the right to use whatever factors it deems appropriate in considering the appointment or reappointment of a citizen to a Town board or commission;
 - (4) To propose to the Town Meeting the enactment or repeal of ordinances which require approval by a Town Meeting;
 - (5) To adopt, amend or repeal ordinances and regulations which do not require approval by a Town Meeting;
 - (6) To provide for the granting of licenses and permits for the conduct of any business in accordance with statute for such periods of time and in accordance with such rules and regulations not inconsistent with statute and upon payment by the licensee of such fees as the Board of Selectmen may establish;
 - (7) To recommend a budget to the Annual Town Meeting;
 - (8) To adopt and modify the official maps of the Town;
 - (9) To oversee all activities within the Town government, but not to direct Town employees, either in public or in private, such being the responsibility of the Town Manager. Notwithstanding the above and with the exception of personnel matters, the Board of Selectmen has the authority to discuss any issue affecting the Town with any employee of the Town;

§ 5-7 Electronic mail policy.

Use of electronic mail (email) by members of any Kennebunkport board or committee should conform to the same standards of judgment, propriety and ethics as other forms of board- or committee-related communication. All board and committee members shall comply with the following guidelines when using email in the conduct of board or committee business:

- A. Boards and committees shall not use email as a substitute for deliberations at meetings or for other communications or business properly confined to meetings.
- B. Board and committee members should be aware that email and email attachments received or prepared for use in board or committee business or containing information relating to board or committee business are public records which may be inspected by any person upon request, unless made confidential by Maine's Right to Know Law (1 M.R.S.A. § 401 et seq.).
- C. Board or committee members should avoid reference to confidential information about employees, personnel or other matters in email communications because of the risk of improper disclosure. All board and committee members should comply with the same standards as Town employees with regard to confidential information.

**Article III
Appointed Officers**

§ 5-8 Officers.

[Amended 11-3-2020]

The Board of Selectmen shall appoint the following officers:

Animal Control Officer
Assessor~~s~~^{Agent}
Assistant Code Enforcement Officer
Assistant Plumbing Inspector
Code Enforcement Officer
Constable
Deputy Health Officer
Director of Public Works
Emergency Management Director
Fire Inspector
Harbor Masters
Health Officer
Plumbing Inspector
Public Access Officer
Registrar of Voters
Shellfish Warden
Street Naming and Numbering Delegate
Tax Collector
Town Clerk
Town Forester
Treasurer
Tree Warden

§ 5-9 Animal Control Officer.

- A. Appointment. The Board of Selectmen shall appoint annually an Animal Control Officer. The Animal

AGENDA ITEM DIVIDER

AGENDA ITEM DIVIDER

AGENDA ITEM DIVIDER



May 7, 2021

Town of Kennebunkport
Board of Selectmen
c/o Lori Smith, Town Manager
6 Elm Street
Kennebunkport, ME 04046

**RE : Colony Avenue Improvements
Boughton Hotel Corp.**

Dear Board of Selectmen,

As you know, the Boughton Hotel Corp. presented to you a request to complete improvement in Colony Avenue at the January 14, 2021 Board of Selectmen's meeting. Based on comments received at that meeting, we have revised the plan to accommodate some concerns raised by the Board. More specifically, we have adjusted the proposed plan as follows:

- The 4 parking spaces that were proposed to encroach into the Colony Avenue Right of Way have been realigned and removed from the right of way.
- The lighting that was proposed to be within the Colony Avenue. right of way has been removed from the plan.

Therefore, we are respectfully requesting that the Board consider the following:

- Creation of 305+/- feet of concrete sidewalks on south side of Colony Avenue and 205+/- feet of concrete sidewalk along the east side of Ocean Avenue. The propose sidewalks will be consistent with the concrete sidewalks that were constructed by the Boughton Hotel Corp on the south side of Ocean Avenue.
- Sidewalk ramps and crosswalks to be built as shown on the attached plan. Note that the crosswalks were reviewed and adjusted based on input from the Police Chief.
- Reduce the existing curb cuts on Colony Avenue and installation of stone entrances to new north driveways 6-feet from the edge of pavement. The locations will be coordinated with the Public Works Director, prior to construction to account for any snow plowing issues. Boughton Hotel Corp. understands that an agreement with the Town will be developed to require their removal if requested by the Town.
- Landscape design and implementation so that any proposed tree will be a minimum of 10 ft. from the edge of pavement. These will also be part of the above referenced agreement and require removal by Boughton should the Town formally request.
- The reconstruction of 640+/- feet of Colony Avenue which will include improved vertical alignment.

It is our opinion that these improvements will benefit the Town by providing increased public safety for pedestrian and vehicular traffic utilizing Colony Avenue.

We appreciate your attention and are looking forward to discussing these items with the Board at your May 13, 2021 meeting.

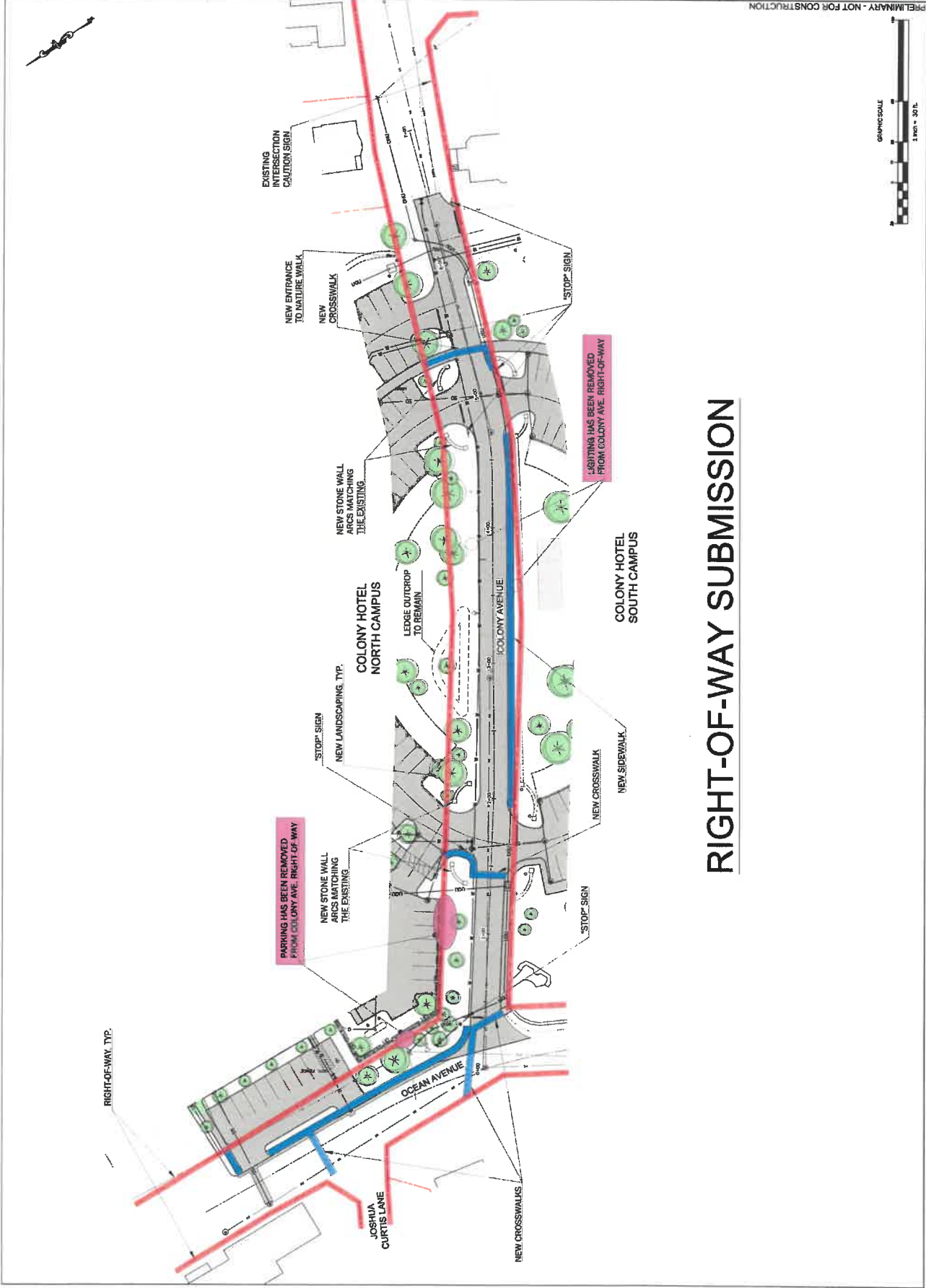
Respectfully,



William R. Walsh, III, PE
Walsh Engineering Associates, Inc.

cc. John Martin, Boughton Hotel Corp
Ralph Austin, Woodman, Edmunds Danylik Austin Smith & Jacques, P.A.
Amy McNally, Woodman, Edmunds Danylik Austin Smith & Jacques, P.A.
Werner Gilliam, Director of Planning and development, Town of Kennebunkport

Attachment. Right of way improvement plan



RIGHT-OF-WAY SUBMISSION

PRELIMINARY - NOT FOR CONSTRUCTION

AGENDA ITEM DIVIDER

Government Wharf Budget

| | FY 20 | FY 21 | Year to date 4/21/2021 | FY 22 |
|-------------------------------|-----------------------------|----------|---------------------------|-------------|
| Government Wharf Fund Balance | | | | |
| 6/30/2020 | 4,655.00 | | | |
| Revenues | | | | |
| 14-73-06 Lobstermen | 7,200.00 | 7,200.00 | 7,200.00 | 7,600.00 |
| 14-73-07 Commercial dues | 1,500.00 | 1,750.00 | 1,750.00 | 1,500.00 |
| 14-73-08 Float access | 350.00 | 175.00 | (175.00) | 0.00 |
| 14-73-09 Student dues | 0.00 | 0.00 | 125.00 | 125.00 |
| 14-73-20 Miscellaneous | 0.00 | 0.00 | 0.06 | 0.00 |
| 14-73-22 Use of Fund Balance | 6,750.00 | 0.00 | 0.00 | 0.00 |
| | 15,800.00 | 9,125.00 | 8,900.06 | 9,225.00 |
| Expenses | | | | |
| 47-06 15-01 Electricity | 5,000.00 | 5,000.00 | 3,572.49 | 5,000.00 |
| 47-06 35-08 Float Maintenance | 500.00 | 500.00 | 109.23 | 450.00 |
| 47-06 35-09 Pier Maintenance | 300.00 | 300.00 | 617.36 | 300.00 |
| 47-06 50-01 Miscellaneous | 0.00 | 0.00 | 131.14 | 150.00 |
| 47-06 60-04 Capital Equipment | 10,000.00 | 3,325.00 | 3,363.83 | 3,325.00 |
| | 15,800.00 | 9,125.00 | 7,794.05 | 9,225.00 |
| | FY 21 actually billed | | | |
| New | Category | | | |
| | Lobstermen | 19 | 400.00 | 7,600.00 |
| | Commercial dues | 6 | 250.00 | 1,500.00 |
| | Float access | 0 | 175.00 | 0.00 |
| | Student dues | 1 | 125.00 | 125.00 |
| | | | 950.00 | 9,225.00 |
| | Use of Fund Balance | | 6,750.00 | 0.00 |
| Net balance 4/21/21 | | | 1,106.01 | |

removed T Yonuschot as member

Blow Bros and other misc expenses

Budget Request

Expense

| | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|---|----------------|----------------|----------------|-------------|-----------------|-----------------|--------------------------------------|------------------------------------|
| Dept/Div: 47-06 Enterprise Funds / Government Wharf | | | | | | | | |
| Utilities | | | | | | | | |
| 15-01 Electricity | 5,000.00 | 4,214.42 | 5,000.00 | 3,572.49 | 0.00 | 5,000.00 | 0.00 | .00% |
| Decrease due to reflect anticipated actual. | | | | | | | | |
| Repairs/Maintenance | | | | | | | | |
| 35-08 Float Maintenance | 500.00 | 70.44 | 500.00 | 109.23 | 0.00 | 450.00 | -50.00 | -10.00% |
| Minor repairs to floats. | | | | | | | | |
| 35-09 Pier Maintenance | 300.00 | 395.79 | 300.00 | 617.36 | 0.00 | 300.00 | 0.00 | .00% |
| Minor repairs to the pier. | | | | | | | | |
| Miscellaneous | | | | | | | | |
| 50-01 Miscellaneous | 0.00 | 0.00 | 0.00 | 131.14 | 0.00 | 150.00 | 150.00 | 100.00% |
| Increased for porta potties. | | | | | | | | |
| Purchases | | | | | | | | |
| 60-04 Capital Equipment | 10,000.00 | 3,178.51 | 3,325.00 | 3,363.83 | 0.00 | 3,325.00 | 0.00 | .00% |
| Capital equipment. | | | | | | | | |
| Government Wharf | 15,800.00 | 7,859.16 | 9,125.00 | 7,794.05 | 0.00 | 9,225.00 | 100.00 | 1.10% |

Budget Request

Revenue

| Dept/Div: | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|---|------------------|-----------------|-----------------|-----------------|-----------------|-----------------|--------------------------------------|------------------------------------|
| 06 Lobstermen | 7,200.00 | 7,600.00 | 7,200.00 | 7,200.00 | 0.00 | 7,600.00 | 400.00 | 5.56% |
| 19 Lobstermen @ \$400 each | | | | | | | | |
| 07 Commercial Dues | 1,500.00 | 1,271.89 | 1,750.00 | 1,750.00 | 0.00 | 1,500.00 | -250.00 | -14.29% |
| 6 Commercial users @ \$250 each. | | | | | | | | |
| 08 Base Dues | 350.00 | 175.00 | 175.00 | -175.00 | 0.00 | 0.00 | -175.00 | -100.00% |
| 09 Student Dues | 0.00 | 0.00 | 0.00 | 125.00 | 0.00 | 125.00 | 125.00 | 100.00% |
| Student dues rate set at \$125 each. | | | | | | | | |
| 20 GW Misc | 0.00 | 0.00 | 0.00 | 0.06 | 0.00 | 0.00 | 0.00 | .00% |
| 22 Use of Fund Balance | 6,750.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| Use of fund balance to offset expenses. | | | | | | | | |
| Govt Wharf | 15,800.00 | 9,046.89 | 9,125.00 | 8,900.06 | 0.00 | 9,225.00 | 100.00 | 1.10% |

AGENDA ITEM DIVIDER

| Cape Porpoise Pier | | | | |
|---------------------------|---------------------|-------------------|-------------------|-------------------|
| FY 22 Budget | | | | |
| | | FY 20 | FY 21 | FY 22 |
| | | Budget | Budget | Budget |
| Revenues | | | | |
| | Mooring fees | 7,065.00 | 6,840.00 | 7,560.00 |
| | Miscellaneous | - | 0.00 | 0.00 |
| | Diesel | 176,320.00 | 216,640.00 | 216,640.00 |
| | Gas | 19,750.00 | 28,889.00 | 34,375.00 |
| | Dues | 52,093.30 | 46,651.79 | 46,652.00 |
| | Lease | 40,000.00 | 40,000.00 | 40,000.00 |
| | Use of fund balance | 20,962.15 | 0.00 | 0.00 |
| | | 316,190.45 | 339,020.79 | 345,227.00 |
| Expenses | | | | |
| | Salaries/wages | 62,117.00 | 64,796.00 | 64,796.00 |
| | FICA | 6,153.00 | 5,040.00 | 5,040.00 |
| | MSRS | 5,192.00 | 5,514.00 | 5,623.00 |
| | ICMA | - | 1,092.00 | 1,092.00 |
| | Health | 19,032.00 | 20,314.00 | 20,314.00 |
| | Travel/meetings | 400.00 | - | - |
| | HRA & fees | 1,706.00 | 1,386.00 | 1,386.00 |
| | Electricity | 5,500.00 | 5,000.00 | 6,800.00 |
| | Telephone | 850.00 | 800.00 | 860.00 |
| | Heating fuel | 1,500.00 | 920.00 | 750.00 |
| | Water | 650.00 | 690.00 | 500.00 |
| | Internet | 1,330.00 | 1,330.00 | 1,700.00 |
| | Advertising | 100.00 | - | - |
| | Expert/professional | 800.00 | 800.00 | 900.00 |
| | Audit | 500.00 | 500.00 | 500.00 |
| | Licenses | 650.00 | 650.00 | 650.00 |
| | Waste removal | 2,200.00 | 4,100.00 | 4,100.00 |
| | Insurance | 4,140.00 | 1,695.00 | 4,600.00 |
| | Office supplies | 150.00 | 50.00 | 50.00 |
| | Operating supplies | 2,000.00 | 1,000.00 | 1,000.00 |
| | Gas | 17,775.00 | 28,750.00 | 28,750.00 |
| | Diesel | 159,790.00 | 186,175.00 | 186,175.00 |
| | R&M buildings | 1,000.00 | 750.00 | 750.00 |
| | R&M vehicles/equip | 1,500.00 | 1,000.00 | 1,000.00 |
| | Float maintenance | 500.00 | 500.00 | 500.00 |
| | Pier maintenance | 1,000.00 | 625.00 | 625.00 |
| | Miscellaneous | - | - | - |
| | Diesel tax | 3,540.00 | 3,810.00 | 3,810.00 |
| | Payroll contingency | - | - | 2,308.00 |
| | Capital equipment | 19,000.00 | 935.00 | 648.00 |
| | | 319,075.00 | 338,222.00 | 345,227.00 |

Cape Porpoise Pier

| | | FY 21 | | | FY 22 | | |
|-----------------|-------|-------|-----------------|-------|-------|-----------------|-------|
| | | Fee | # of users | Total | Fee | # of users | Total |
| Moorings | | | | | | | |
| Tidal waters | 45.00 | 91 | 4,095.00 | 45.00 | 100 | 4,500.00 | |
| Deep waters | 90.00 | 33 | 2,970.00 | 90.00 | 34 | 3,060.00 | |
| | | | <u>7,065.00</u> | | | <u>7,560.00</u> | |

| | | FY 21 | | | FY 22 | | |
|-------------|------|--------|------------------|-------|--------|------------------|-------|
| | | Markup | Gallons | Total | Markup | Gallons | Total |
| Fuel | | | | | | | |
| Gas | 0.35 | 11,111 | 3,888.89 | 0.45 | 12,500 | 5,625.00 | |
| Diesel | 0.35 | 58,500 | 20,475.00 | 0.45 | 67,700 | 30,465.00 | |
| | | | <u>24,363.89</u> | | | <u>36,090.00</u> | |

| | | per gallon | |
|--------|------|-------------------|-------------------|
| | | exp | rev |
| gas | 2.30 | 28,750.00 | 34,375.00 |
| diesel | 2.75 | 186,175.00 | 216,640.00 |
| | | <u>214,925.00</u> | <u>251,015.00</u> |

| | | FY 21 with CPI 2.3% | | | FY22 with 1.6% | | |
|--------------|----------|---------------------|------------------|----------|----------------|------------------|-------|
| | | Fee | # of users | Totals | fee | # | Total |
| Dues | | | | | | | |
| Recreational | 589.07 | 16 | 9,425.12 | 598.50 | 14 | 8,379.00 | |
| Big boats | 883.74 | 38 | 33,582.12 | 897.88 | 34 | 30,527.92 | |
| Punt | 565.60 | 5 | 2,828.00 | 574.65 | 4 | 2,298.60 | |
| Dealers | 1,011.02 | 3 | 3,033.06 | 1,027.20 | 3 | 3,081.60 | |
| extra boats | 5.00 | 210 | 1,050.00 | 5.00 | 107 | 535.00 | |
| extra drums | 15.00 | 145 | 2,175.00 | 15.00 | 122 | 1,830.00 | |
| | | | <u>52,093.30</u> | | | <u>46,652.12</u> | |

new Jason Daggett big boat

| | | |
|-------------|---------------------|----------|
| Fuel markup | .05 increase equals | 4,010.00 |
| dues | .5% increase equals | 226.79 |

Budget Request

| | | Revenue | | | | 2022 | | Man Req vs" | | Man Req vs | |
|-----------|--|------------|------------|------------|------------|---------|------------|-------------|-----------|------------|----------|
| | | 2020 | 2020 | 2021 | 2021 | Initial | Manager | Curr Bud | Change \$ | Curr Bud | Change % |
| | | Budget | Actual | Budget | YTD | | | | | | |
| Dept/Div: | 14-71 Enterprise / Pier | | | | | | | | | | |
| 02 | Mooring Fees | 8,820.00 | 7,380.00 | 6,840.00 | 735.00 | 0.00 | 7,560.00 | 720.00 | | 10.53% | |
| | Mooring fees. Increased based on number of mooring permits issued last year. | | | | | | | | | | |
| 04 | Pier Miscellaneous | 0.00 | 610.74 | 0.00 | 549.11 | 0.00 | 0.00 | 0.00 | | .00% | |
| 05 | Pier Diesel | 176,320.00 | 181,788.93 | 190,125.00 | 123,250.07 | 0.00 | 216,640.00 | 26,515.00 | | 13.95% | |
| | Diesel fuel sold. | | | | | | | | | | |
| 06 | Pier Gas | 19,750.00 | 33,491.62 | 28,889.00 | 21,576.26 | 0.00 | 34,375.00 | 5,486.00 | | 18.99% | |
| | Gas fuel sold. | | | | | | | | | | |
| 07 | Pier Dues | 53,223.00 | 50,098.63 | 52,093.00 | 42,996.04 | 0.00 | 46,652.00 | -5,441.00 | | -10.44% | |
| | Actual Pier dues to increase by COLA each year - December 2020 1.6%. | | | | | | | | | | |
| 09 | Pier Lease | 40,000.00 | 40,000.00 | 40,000.00 | 30,000.00 | 0.00 | 40,000.00 | 0.00 | | .00% | |
| | Restaurant lease. | | | | | | | | | | |
| 22 | Use of Fund Balance | 20,962.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | | .00% | |
| | Pier | 319,075.00 | 313,369.92 | 317,947.00 | 219,106.48 | 0.00 | 345,227.00 | 27,280.00 | | 8.58% | |

Budget Request

Expense

| | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|---|----------------|----------------|----------------|-------------|-----------------|-----------------|--------------------------------------|------------------------------------|
| Dept/Div: 47-02 Enterprise Funds / Cape Porpoise Pier CONT'D | | | | | | | | |
| 35-03 Vehicles & Equipment | 1,500.00 | 3,839.64 | 1,000.00 | 1,488.14 | 0.00 | 1,000.00 | 0.00 | .00% |
| Repairs and maintenance on the boat. | | | | | | | | |
| 35-08 Float Maintenance | 500.00 | 0.00 | 500.00 | 214.38 | 0.00 | 500.00 | 0.00 | .00% |
| Repairs and maintenance on floats. | | | | | | | | |
| 35-09 Pier Maintenance | 1,000.00 | 2,548.69 | 625.00 | 1,142.69 | 0.00 | 625.00 | 0.00 | .00% |
| Repairs and maintenance on the pier. | | | | | | | | |
| Miscellaneous | | | | | | | | |
| 50-26 Bad Debt Expense | 0.00 | 639.58 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| 50-33 Diesel Tax | 3,540.00 | 4,442.02 | 3,810.00 | 2,377.45 | 0.00 | 3,810.00 | 0.00 | .00% |
| State sales tax on based on estimated taxable diesel sales (37% of all diesel sales). | | | | | | | | |
| 50-92 Payroll Contingency | 0.00 | 0.00 | 0.00 | 0.00 | 2,308.00 | 2,308.00 | 2,308.00 | 100.00% |
| Budgeted amounts to allow the Board of Selectmen to negotiate new contract - the existing contract expires 6/30/21. | | | | | | | | |
| Purchases | | | | | | | | |
| 60-04 Capital Equipment | 19,000.00 | 3,585.66 | 0.00 | 835.20 | 0.00 | 648.00 | 648.00 | 100.00% |
| Decreased to post a balanced budget. | | | | | | | | |
| 60-05 Capital Reserve | 0.00 | 0.00 | 935.00 | 0.00 | 0.00 | 0.00 | -935.00 | -100.00% |
| Depreciation | | | | | | | | |
| 65-01 Depreciation | 0.00 | 16,149.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| Cape Porpoise Pier | 319,075.00 | 336,682.24 | 317,947.00 | 222,554.57 | 101,759.00 | 345,227.00 | 27,280.00 | 8.58% |

AGENDA ITEM DIVIDER

Dock Square Parking Lot FY 22 Budget

| | FY 20 | FY 21 | FY 22 | \$ Diff. | % Diff | Notes: |
|---------------------------------------|------------|------------|------------|------------|---------|---|
| Revenue | | | | | | |
| Parking Fees | \$ 400,000 | \$ 357,816 | \$ 397,816 | \$ 40,000 | 10.00% | |
| Total: | \$ 400,000 | \$ 357,816 | \$ 397,816 | \$ 40,000 | 10.00% | |
| Operating Expense | | | | | | |
| Wages | \$ 23,000 | \$ 42,337 | \$ 41,038 | \$ (1,299) | -5.65% | 9 hrs/day x 140 days (11 am - 8 pm) & DS patrol |
| FICA | \$ 1,760 | \$ 3,239 | \$ 3,239 | \$ - | 0.00% | |
| MEPers | \$ - | \$ 1,280 | \$ 1,280 | \$ - | 100.00% | |
| Electricity | \$ 2,400 | \$ 2,500 | \$ 2,500 | \$ - | 0.00% | |
| Phone | \$ - | \$ 3,960 | \$ 3,960 | \$ - | 0.00% | |
| Internet | \$ - | \$ 3,500 | \$ 3,500 | \$ - | 100.00% | |
| Expert/professional | \$ 14,000 | \$ 12,000 | \$ 12,000 | \$ - | 0.00% | Bus monitoring |
| Credit Card Fees | \$ 15,000 | \$ 20,000 | \$ 18,000 | \$ (2,000) | -13.33% | reduction in fees |
| Supplies | \$ 9,000 | \$ 11,000 | \$ 13,000 | \$ 2,000 | 22.22% | trash bags, plantings, lights, receipts |
| Payroll contingency | \$ - | \$ - | \$ 1,299 | \$ 1,299 | 100.00% | |
| Repairs & Maint building | \$ 1,000 | \$ 1,000 | \$ 1,000 | \$ - | 0.00% | |
| Repairs & Maint equipment | \$ 2,000 | \$ 2,000 | \$ 2,000 | \$ - | 0.00% | repairs of machines |
| Total: | \$ 68,160 | \$ 102,816 | \$ 102,816 | \$ - | 0.00% | |
| Transfers to GF Budget | | | | | | |
| General Fund Expense | \$ 255,000 | \$ 255,000 | \$ 255,000 | \$ - | 0.00% | |
| Capital Expense | \$ - | \$ - | \$ 40,000 | \$ 40,000 | 0.00% | Maine St shim |
| Total: | \$ 255,000 | \$ 255,000 | \$ 295,000 | \$ 40,000 | 0.00% | |
| Total Expenditures: | \$ 323,160 | \$ 357,816 | \$ 397,816 | \$ 40,000 | 12.38% | |
| Operating Net after Transfers: | \$ 76,840 | \$ - | \$ - | \$ - | | |

Department Director's Requests

Expense

| | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|--|----------------|----------------|----------------|-------------|-----------------|-----------------|--------------------------------------|------------------------------------|
| Dept/Div: 47-03 Enterprise Funds / Dock Square Parking Lot CONT'D | | | | | | | | |
| 30-01 Office Supplies | 9,000.00 | 12,626.23 | 11,000.00 | 8,487.71 | 0.00 | 13,000.00 | 2,000.00 | 18.18% |
| Maintenance and supplies \$5,000 and Tickets \$8,000. Increased to reflect projected actual. | | | | | | | | |
| Repairs/Maintenance | 1,000.00 | 0.00 | 1,000.00 | 0.00 | 0.00 | 1,000.00 | 0.00 | .00% |
| 35-01 Buildings | 2,000.00 | 0.00 | 2,000.00 | 137.50 | 0.00 | 2,000.00 | 0.00 | .00% |
| Minor repairs \$1,000 | | | | | | | | |
| 35-03 Vehicles & Equipment | | | | | | | | |
| Repairs to the parking system including entrance and exit gates. | | | | | | | | |
| Miscellaneous | 255,000.00 | 255,000.00 | 255,000.00 | 255,000.00 | 0.00 | 295,000.00 | 40,000.00 | 15.69% |
| 50-23 Transfer Out | | | | | | | | |
| Transfer to general fund per budget requests. Increased for Maine Street shim project. | | | | | | | | |
| 50-92 Payroll Contingency | 0.00 | 0.00 | 0.00 | 0.00 | 1,299.00 | 1,299.00 | 1,299.00 | 100.00% |
| Budgeted separately as the Union contract is expiring 6/30/21. | | | | | | | | |
| 50-94 Transfer to Fund Balance | 76,840.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| Dock Square Parking Lot | 400,000.00 | 321,574.94 | 357,816.00 | 297,456.60 | 44,596.00 | 397,816.00 | 40,000.00 | 11.18% |

Department Director's Requests

Revenue

| | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|--------------------------------------|----------------|----------------|----------------|-------------|-----------------|-----------------|--------------------------------------|------------------------------------|
| Dept/Div: 14-72 Enterprise / DSP Lot | | | | | | | | |
| 05 P Lot Fees | 400,000.00 | 332,986.88 | 357,816.00 | 274,842.85 | 0.00 | 397,816.00 | 40,000.00 | 11.18% |
| Parking fees. | | | | | | | | |
| 20 P Lot Miscellaneous | 0.00 | 413.78 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| DSP Lot | 400,000.00 | 333,400.66 | 357,816.00 | 274,842.85 | 0.00 | 397,816.00 | 40,000.00 | 11.18% |

AGENDA ITEM DIVIDER

| Special Revenue | | |
|------------------------|------------------------------|-------------------|
| Recreation | | |
| FY 22 Budget | | |
| | Revenues | |
| 10-33-22 | Fees | 168,350.00 |
| 10-33-05 | Concessions | 1,000.00 |
| | Total Revenues | 169,350.00 |
| | Expenses | |
| 43-33 10-06 | Summer Salaries | 42,462.00 |
| 43-33 10-08 | After School Salaries | 15,120.00 |
| 43-33 10-12 | Program Events | 1,526.00 |
| 43-33 12-01 | FICA | 4,522.00 |
| 43-33 30-24 | Gas | 1,150.00 |
| 43-33 30-25 | Deisel | 1,083.00 |
| 43-33 50-14 | Program Events | 43,487.00 |
| | Total Expenses | 109,350.00 |
| | Net Budget | 60,000.00 |
| 43-33 50-23 | Transfer Out to General Fund | (60,000.00) |
| | Balance | 0.00 |

Department Director's Requests

Revenue

| Dept/Div: | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|---|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------------------|------------------------------|
| 05 Concessions Proceeds from sale of concessions at Recreation Department events and programs. | 1,500.00 | 2,296.37 | 1,000.00 | 1,338.80 | 1,000.00 | 1,000.00 | 0.00 | .00% |
| 22 Fees Fees received for participation in the Recreation Department events and programs. Increased to reflect projected actual. | 215,276.00 | 155,884.52 | 130,859.00 | 192,991.85 | 161,544.00 | 168,350.00 | 37,491.00 | 28.65% |
| 50 Miscellaneous Decreased to reflect projected actual. | 0.00 | 9,200.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | .00% |
| Recreation | 216,776.00 | 167,380.89 | 131,859.00 | 194,330.65 | 162,544.00 | 169,350.00 | 37,491.00 | 28.43% |
| Revenue Totals: | 216,776.00 | 367,711.64 | 131,859.00 | 494,344.83 | 162,544.00 | 169,350.00 | 37,491.00 | 28.43% |

Department Director's Requests

Expense

| Dept/Div: | 2020 Budget | 2020 Actual | 2021 Budget | 2021 YTD | 2022 Initial | 2022 Manager | Man Req vs" Curr Bud Change \$ | Man Req vs Curr Bud Change % |
|--|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------------------|------------------------------|
| 30-24 Gas | 788.00 | 1,065.82 | 225.00 | -159.12 | 1,150.00 | 1,150.00 | 925.00 | 411.11% |
| Fuel for vehicle and equipment 500 gallons @ \$2.30. Increased to reflect projected actual usage and price per gallon. | | | | | | | | |
| 30-25 Diesel | 435.00 | 1,083.45 | 557.00 | 643.63 | 1,083.00 | 1,083.00 | 526.00 | 94.43% |
| Fuel for bus 394 gallons @ \$2.75. Increased to reflect projected actual usage and price. | | | | | | | | |
| Repairs/Maintenance Miscellaneous | 0.00 | 0.00 | 838.00 | 50.00 | 0.00 | 0.00 | -838.00 | -100.00% |
| 50-01 Miscellaneous | | | | | | | | |
| This is for concession purchases for resale. | | | | | | | | |
| 50-14 Program Events | 70,825.00 | 51,024.65 | 38,492.00 | 14,703.76 | 39,927.00 | 43,487.00 | 4,995.00 | 12.98% |
| Cost of various programs and offerings through the recreation department. Increased to reflect projected actual. | | | | | | | | |
| 50-23 Transfer Out | 80,000.00 | 80,000.00 | 60,000.00 | 60,000.00 | 60,000.00 | 60,000.00 | 0.00 | .00% |
| Transfer to general fund for cost share of full time employees. | | | | | | | | |
| Recreation | 216,776.00 | 193,005.37 | 131,859.00 | 105,952.62 | 162,605.00 | 169,350.00 | 37,491.00 | 28.43% |
| Expense Totals: | 216,776.00 | 193,005.37 | 131,859.00 | 105,952.62 | 162,605.00 | 169,350.00 | 37,491.00 | 28.43% |

AGENDA ITEM DIVIDER

To: Board of Selectmen
Laurie Smith, Town Manager
From: John Everett, Fire Chief
Re: S.C.B.A. Cylinder replacement
Date: May 10, 2021

Currently, our SCBA cylinders are only good for 15 years, per DOT rule. At the end of this month, the Fire Department will have to remove 40 cylinders from service due to age. This is an annual process that we must go through. Because we removed a truck from service in March, we do not need to replace these cylinders one for one this year.

I am asking for approval to purchase these cylinders out of the Fire Equipment Capital Account #45-18-30-03. The current account balance is \$101,470. This approval is part of the current funding plan that was started four years ago by setting aside funds annually for the eventual replacement of all breathing apparatus. These cylinders will be able to be used with the replacement breathing apparatus slated for purchase in the future.

I have received pricing from the only two companies that sell this equipment in Maine. I would like to purchase these cylinders from Fire Tech and Safety for \$11,014.00.

Respectfully,
John Everett

FIRE TECH & SAFETY OF NEW ENGLAND, INC.
 PO Box 435
 84A Route 133
 Winthrop, ME 04364-0435
 1-800-331-7900 Fax (207) 377-6260

Quote

| | |
|----------|---------|
| Date | Quote # |
| 5/5/2021 | 192787 |



| |
|---|
| Name / Address |
| KENNEBUNKPORT F.D.-ME 32 NORTH STREET P.O. BOX 505 KENNEBUNKPORT, ME 04046 |

| |
|-----|
| Rep |
| JB |

| Item | Qty | Description | Unit Price | Total |
|--------------|-----|---|------------|--------------------|
| 804721-01 | 10 | SCOTT-CARBON CYL.& VALVE 4500 30 MIN Will be ordered from Scott Direct. (Scott Cylinders up to 6 months old Per Scott Policy) Scott is not giving a delivery date. Most have been 45 to 65 days | 875.00 | 8,750.00 |
| 804723-01 | 2 | SCOTT-CARBON CYL.& VALVE 4500 60 MIN Will be ordered from Scott Direct. (Scott Cylinders up to 6 months old Per Scott Policy) Scott is not giving a delivery date. Most have been 45 to 65 days | 1,132.00 | 2,264.00 |
| COSTSHIP | 1 | SHIPPING AND HANDLING INCLUDED IN PRICE | 0.00 | 0.00 |
| Total | | | | \$11,014.00 |



125 John Roberts Rd
South Portland, ME 04106
PH: 207-847-3313
Jon Usher-Maine Sales
jusher@ipp-ips.com

PRICE QUOTE FOR:
Kennebunkport Fire Department
Chief John Everett
32 North St
Kennebunkport, ME 04046

DATE:
5/10/2021

| Product/Description | Price Ea | Qty | Extension |
|---|-------------------|--------------|--------------------|
| Scott Safety 4.5 30 Minute Carbon Cylinder p/n 804721-01 | \$935.00 | 10 | \$9,350.00 |
| Scott Safety 4.5 60 Minute Carbon Cylinder p/n 804723-01 | \$1,242.00 | 2 | \$2,484.00 |
| | | Total | \$11,834.00 |