

TOWN OF KENNEBUNKPORT

**WARRANT
ANNUAL TOWN MEETING
June 8 and 12, 2021**

State of Maine

County of York, SS.

To: Jamie L. Mitchell, Constable of the Town of Kennebunkport, in the County of York, State of Maine.

GREETINGS:

You are hereby required in the name of the State of Maine to notify and warn the voters of the Town of Kennebunkport in said County of the Town Meeting described in this warrant.

To the voters of Kennebunkport: You are hereby notified that the Annual Town Meeting of this municipality will be held at Village Fire Station, located at 32 North Street, in said Town on Tuesday, the eighth (8th) day of June A.D. 2021, at 8:00 o'clock in the forenoon for the purpose of acting on Articles numbered one (1) and one a (1a) as set out below. The polls for voting on Article 1 shall be opened immediately after the election of the Moderator at 8:00 a.m. on June 8, 2021, and shall close at 8:00 p.m. While the polls are open, the Registrar of Voters will hold office hours to accept the registration of any person eligible to vote, to accept new enrollments, and to make any necessary corrections or changes to any names or addresses on the voting list. The continuation of said meeting will be held in the gymnasium of the Consolidated School building in said Town on Saturday, the twelfth (12th) day of June A.D. 2021, at 9:00 o'clock in the forenoon for the purpose of acting on Articles numbered 2 through 14 as set out below.

ARTICLE 1a. To choose a Moderator to preside at said meeting.

ARTICLE 1. To elect under the provisions of Title 30-A, M.R.S.A. Section 2528, the following Town Officers: two (2) Selectmen, Assessors, and Overseers of the Poor, for a term of three years; one (1) Director of R.S.U. #21, for a term of three years; one (1) Trustee of Kennebunk, Kennebunkport and Wells Water District, for a term of three years; and one (1) Beach Advisory Committee At-Large Member, for a term of three years; and to vote on the following referendum questions 1-3.

For each Question 1 through 3, a certified copy of the proposed ordinance is on file in the Town Clerk's Office and is incorporated by reference into each Question.

**QUESTION 1
AMENDMENT TO THE ANIMAL CONTROL ORDINANCE**

Shall an ordinance entitled “June 2021 Amendment to the Animal Control Ordinance” be enacted?

[Note of explanation: This amendment adjusts the times dogs may be present on the beach, and when a leash must be utilized in an effort to maintain the federal protection of the piping plovers and their known habitat on Goose Rocks Beach.]

**QUESTION 2
SHORT TERM RENTAL ORDINANCE**

Shall an ordinance entitled “An Act to establish a Short-Term Rental Ordinance” be enacted?

[Note of explanation: This article would create an ordinance that will require disclosure and licensing of residential short-term rentals operating within the Town of Kennebunkport and require them to meet certain performance standards.]

**QUESTION 3
AMENDMENT TO THE LAND USE ORDINANCE**

Shall an ordinance entitled “June 2021 Amendment to the Kennebunkport Land Use Ordinance Concerning Residential Mixed Use Structures be enacted?

[Note of explanation: This amendment would add residential mixed use as a conditional use to the Dock Square Zone, increase the number of residential units from two to four, and allow the use to occur in multiple structures.]

**QUESTION 4
AMENDMENT TO THE ADMINISTRATIVE CODE**

Shall an ordinance entitled “June 2021 Amendment to the Administrative Code be enacted?

[Note of explanation: This amendment would remove the usage of an Assessors’ Agent and authorize the Town to appoint a position of Assessor, along with all duties currently afforded the Board of Selectman in processing and approving requests for abatements, exemptions and the like.]

Article 2: To see if the Town will vote to approve the following:

- A. To authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town to sell and dispose of Real Estate acquired by the Town for nonpayment of taxes thereon, and to execute quitclaim deeds on such terms as they deem advisable, and to authorize the Treasurer to discharge unmatured liens on payment of taxes, interest and costs.
- B. To authorize the Town Treasurer, with the advice and approval of the Municipal Officers on behalf of the Town, to waive the foreclosure of any tax lien mortgage by recording a waiver of foreclosure in the York County Registry of Deeds for any real estate title to which they deem not in the best financial interest of the Town to hold, said authorization to waive not to prevent the Town Treasurer, with the advice and approval of the Municipal Officers, from later foreclosing on said tax lien pursuant to law, as they deem advisable.
- C. To make all real and personal property taxes due and payable upon presentment of bills and to charge five percent (5.00%) per annum on the first half if unpaid after September 10, 2021 (or 45 days after the date of commitment if commitment is after July 28, 2021) and on the second half if unpaid after March 10, 2022.
- D. To set the interest rate to be paid by the town on abated taxes at four percent (4.00%) for the fiscal year 2022.
- E. To see if the Town will vote to authorize the Tax Collector to enter into a standard agreement with taxpayers establishing a “tax club” payment plan for commercial and/or residential real estate property taxes. (*Explanation: This article allows the Town to establish a tax club for citizens, similar to a Christmas club. Citizens establish a payment plan so that they can make monthly payments throughout the year without risk of penalties or interest charges.*)

Selectmen recommend adoption of this article– Voted 4-0.

Article 3: To see if the Town will vote to approve the following:

- A. To pay for tax abatements and applicable interest granted during the fiscal year of 2021/2022 from Overlay. (*Explanation: The Selectmen, as Assessors, are authorized to raise Overlay under Title 36 MRSA section 710 but require voter authorization to spend Overlay. Overlay cannot be more than 5% of the Tax Commitment.*)
- B. To authorize the Selectmen to apply for, accept and expend from the following categories of funds as provided by the State of Maine: Municipal Revenue Sharing, Educational Certification Block Grant, Educational Tax Relief Grant, Public Library State Aid, Urban Rural Road Initiative Program, Civil Emergency Funds, Snowmobile Registration Funds, Tree Growth Reimbursement, General Assistance Reimbursement, Veterans Exemption Reimbursement, Department of Economic & Community Development Grant Program, Maine Emergency Management Agency, Homestead Exemption Reimbursement, and all

other state and federal grants and funds including, when necessary, the authority to sign grant contracts, documents or other paperwork?

- C. To see if the Town will vote to authorize the Selectmen to carry forward unencumbered surplus fund balances on June 30, 2021 for the purposes originally appropriated and to the extent they deem advisable, such determination to be made at a properly noticed meeting of the Board of Selectmen.

Selectmen recommend adoption of this article– Voted 4-0.

Budget Board recommends adoption of this article – Voted 11-0.

Article 4: To see if the Town will vote to approve the following:

- A. To authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. § 506.
- B. To authorize the Selectmen to accept easement deeds on behalf of the Town granting the Town the right to plant and maintain certain trees on private property located within the Town.
- C. To authorize the Selectmen to accept unconditional and conditional gifts of money or property on behalf of the Town, other than gifts of sewer extensions, subject to ratification by the Town at an annual or special town meeting held within one year of the Selectmen's acceptance, except that such ratification shall not be required for a donation of money to the Town to supplement a specific appropriation already made, to reduce the tax assessment, or to reduce the permanent debt.

Selectmen recommend adoption of this article– Voted 4-0.

Article 5: To see what sum the Town will vote to raise and appropriate for General Government Program expenses.

Amount requested: \$2,078,769.

Selectmen recommend adoption of this article– Voted 4-0.

Budget Board recommends adoption of this article – Voted 9-0-1.

Article 6: To see what sum the Town will vote to raise and appropriate for Public Safety Program expenses.

Amount requested: \$3,030,630.

Selectmen recommend adoption of this article– Voted 5-0.

Budget Board recommends adoption of this article – Voted 10-0.

Article 7: To see what sum the Town will vote to raise and appropriate for Health & Welfare Program expenses.

Amount requested: \$821,911.

Selectmen recommend adoption of this article– Voted 5-0.

Budget Board recommends adoption of this article – Voted 10-0.

Article 8: To see what sum the Town will vote to raise and appropriate for the Public Works Program expenses.

Amount requested: \$1,266,817.

Selectmen recommend adoption of this article– Voted 5-0.

Budget Board recommends adoption of this article – Voted 10-0.

Article 9: To see what sum the Town will vote to raise and appropriate for Recreation, Culture, Contingency and Miscellaneous Program expenses.

Amount requested: \$704,190.

Selectmen recommend adoption of this article– Voted 5-0.

Budget Board recommends adoption of this article – Voted 10-0.

Article 10: To see what sum the Town will vote to raise and appropriate for Capital Expense & Reserve Account and Debt Service Payments.

Amount requested: \$2,471,858.

Selectmen recommend adoption of this article– Voted 5-0.

Budget Board recommends adoption of this article – Voted 10-0.

Article 11: Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$1,000,000 for a term of approximately five (5) years, which bonds or notes may be callable, and to use the proceeds of said bonds or notes to pay for costs of public safety radio communications improvements and upgrades, including installing two new transmit and receive towers; all new radio equipment needed for the new towers and the existing tower at the Police Department; replacing all mobile and portable radios; and a new console in Dispatch?

Town of Kennebunkport Financial Statement

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$13,002,850
Bonds authorized but Unissued	\$ -0-
Bonds to be Issued if this Article is Approved	<u>\$ 1,000,000</u>
Total	\$14,002,850

2. Estimated Costs of Proposed Bonds

At an estimated interest rate of .75%, for a 5-year term, the estimated costs of this bond issue will be:

Principal	\$1,000,000.00
Interest	<u>20,576.60</u>
Total Debt Service	\$1,020,576.60

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Jennifer L. Lord, Treasurer

Selectmen recommend adoption of this article– Voted 4-0.

Budget Board recommends adoption of this article – Voted 11-0.

Article 12: Do you favor authorizing the Board of Selectmen to issue general obligation bonds or notes in the name of the Town of Kennebunkport in a principal amount not to exceed \$6,000,000 for a term of approximately 20 years, which bonds or notes may be callable, and to use the proceeds of said bonds or notes to pay for costs of wastewater capital projects, including replacement of three pump stations, rehabilitation of clarifiers, replacement of belt filters, and installation of dewatering equipment?

Town of Kennebunkport Financial Statement

1. Total Town Indebtedness

Bonds Outstanding and Unpaid	\$13,002,850
Bonds authorized but Unissued	\$ -0-
Bonds to be Issued if this Article is Approved	<u>\$ 6,000,000</u>
Total	\$19,002,850

2. Estimated Costs of Proposed Bonds

At an estimated average interest rate of 1.73%, for a 20-year term, the estimated costs of this bond issue will be:

Principal	\$6,000,000.00
Interest	<u>1,433,415.00</u>
Total Debt Service	\$7,433,415.00

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service or the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

Jennifer L. Lord, Treasurer

Selectmen recommend adoption of this article– Voted 4-0.

Budget Board recommends adoption of this article – Voted 10-1.

Article 13: To see if the town will vote to authorize the transfer of a 1989 KME Avenger 75ft. Ladder Truck, VIN #1K9AF4284KN058168, commonly known as “Kennebunkport Ladder 4”, from the town of Kennebunkport Fire Department to the Atlantic Volunteer Engine Company with the condition that if the Atlantic Volunteer Engine Company sells said “Ladder 4”, all proceeds of the sale will be used towards the purchase of firefighting or rescue equipment, approved by the Fire Chief and to be owned by the Town.

Selectmen recommend the amount requested - Voted 4-0.

Article 14: To see if the Town will vote to appropriate the sum of \$2,892,120 from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and to also use \$225,000 from undesignated fund balance and \$325,000 from Capital Projects Reserve Account to reduce the property tax commitment.

Selectmen recommend adoption of this article– Voted 4-0.

Budget Board recommends adoption of this article – Voted 11-0.

HEREOF FAIL NOT TO MAKE DUE SERVICE of this Warrant and a return of your doing thereon, at a time and place of said meeting.

GIVEN UNDER OUR HANDS this 22nd day of April 2021, Kennebunkport, Maine.

Edward W. Hutchins, II

Michael Weston

Allen A. Daggett

Sheila W. Matthews-Bull

Patrick A. Briggs

A majority of the Selectmen of the Town of Kennebunkport, Maine

A true attested copy of the warrant attest:

Jamie Mitchell, Town Clerk