



Don't forget the May Day Festival on Saturday (May 7)

Always fun! A great Kennebunk tradition!

Events happening all morning, Parade 1:30pm, many events after the Parade!

View schedule of events at www.kennebunkmaine.us/mayday

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, MAY 10, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA**

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate for Committees:

Amy Eileen Tyson
Paul Bevacqua

Downtown Committee
Historic Preservation Commission

Vacancies
(1) Alternate 2016
(1) Alternate 2016

REGULAR MEETING – 6:30 P.M.

1. Call to Order & The Pledge of Allegiance

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. Minutes (2-3 minutes)

a. April 26, 2016 Regular Meeting

3. Items to be Signed (3-5 minutes)

a. Items as Presented

4. Public Hearing(s) - none

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5-10 minutes)

- a. Candidates on the June 14th Ballot - Nomination papers have been returned and the following candidates will be on the ballot for the June 14, 2016 Annual Town Meeting Election.

Selectmen, 2 seats, 3-year terms

Baldwin, L. Blake
Cahoon, Thomas J.
Morin, Richard A.
Ward, William A. Jr.

RSU #21, 2 seats, 3-year terms

Fadiman, Matthew R.
Kahn, Emily L.

Trustee, Kennebunk Light and Power District, 1 seat, 5-year term

Bartilucci, Daniel
Jordan, Michael L.

Trustee, Kennebunk Sewer District, 2 seats, 3-year terms

Brockway, Wayne A.
Sharood, Edward R.

- b. RSU #21 District Budget Meeting will be held on Tuesday, May 17, 2016 at 7:00 p.m. at the Kennebunk Elementary School. This meeting is a requirement of State law before the final vote is taken at the June Town Meeting concerning the School District's proposed budget for 2016-17.
- c. York County Firefighter of the Year – On Saturday April 9, 2016, the York County Firefighters Association (YCFFA) held its annual firefighter awards banquet at the York Beach Fire Department. Over 80 firefighters attended the event. Each year, the YCFFA solicits nominations for Firefighter of the Year in two categories, heroism and public service. This year our own Firefighter, Shane Enger, was nominated and chosen for the 2015 Heroism award.

Firefighter Enger was nominated for his efforts while attempting to rescue an occupant trapped on the second floor at a structure fire at 305 Cat Mousam Road on June 22, 2015. Fire conditions in that room at the time he entered were doubtful at best, as flashover conditions were eminent. His efforts that morning were unsuccessful, however, that does not diminish the great personal risk he took in his attempt to rescue another.

For those reasons, Kennebunk Fire Rescue was proud to nominate Firefighter Shane Enger for the York County Firefighters, ***Firefighter of the Year Award for 2015.***

Congratulations to Firefighter Shane Enger on his well deserved nomination and award!

- d. Thank you to Carolyn Hughes – Carolyn Hughes, our Human Resource Director since September, 2014, has submitted her resignation. Carolyn will be embarking on a private consulting business. We wish her the very best in her new endeavor and thank her for her dedicated service to the Town.

7. Time Sensitive Business

- a. Confirm the Town Manager's Appointment of Michael Pardue as Interim Human Resource Director (3-5 minutes) – As noted in the previous article, our current Human Resource Director, Carolyn Hughes, submitted her resignation. Carolyn's last day was May 6th.

To ensure continuity, I am recommending the confirmation of Michael Pardue as the Town Manager's appointment as Interim HR Director. Mike will be on staff 37.5 hours per week as a contracted employee until a decision on how to proceed is determined.

Mike is well versed in municipal operations and employee resource management and will bring a depth of knowledge to the position. He has worked closely with most of the Town's departments and was Interim Public Services Director from January to July 2015. He also has an extensive background in municipal consulting. His rate of pay will be \$37.50 per hour.

MOTION: To confirm the Town Manager's appointment of Michael Pardue as Interim Human Resource Director.

- b. Sign the June 14, 2016 Annual Town Meeting Warrant (3-5 minutes) – Attached is the final warrant for the 2016 Annual Town Meeting. The Board needs to sign the warrant.

No motion is needed.

- c. Discuss Harvesting Alewives in the Town for the 2016 Season (3-5 minutes) – We received the enclosed letter from the Department of Marine Resources requesting the Board vote on the right to harvest alewives. Their suggested motion below gives harvesting rights to individuals and prohibits commercial harvesting.

This used to be voted on (annually) at the June Town Meeting. A few years ago, the authority was delegated from the voters to the Board of Selectmen.

MOTION: To retain the alewife harvest rights for individuals and to keep the alewife fisheries closed (for commercial harvesting) for conservation for 2016.

8. Old Business (2nd Reading)

9. New Business (1st Reading)

- a. Discuss Amending a Portion of the Parking Ordinance on High Street in Front of Cherie's Bistro (5 minutes) – The current one parking space in front of Cherie's Bakery at 7 High Street has a 2-hour limit. In discussions with Paul Flaherty and Cherie Davis, their request was to amend this to 30 minutes. Should the Board agree, a Public Hearing would be required before any amendments could be considered.

The current ordinance is:

N) High Street: Parking on High Street from York Street to Friend Street (where designated) shall be limited to 2 hours between the hours of 8:00 AM and 6:00PM.

MOTION: To schedule a public hearing on May 24, 2016.

- b. Discuss Amending the Policy for Placing Minutes on the Town's Website (5-7 minutes) – Recently, a resident contacted Selectman Boothby about not being able to view committee meeting minutes (in some cases going back a few months).

One issue seems to be that some boards desire to have all members who were present at the initial meeting approve and sign the minutes. This causes delays if the members who were present at the initial meeting are not present at the meeting when the minutes are being approved and signed.

Another issue is that it is difficult to complete minutes of lengthy meetings (Planning Board recently had minutes that were 45 page long) in a one week turn-around time in order to enclose them in the next meeting's packet. This is compounded by the fact that their next meeting would be occurring and those minutes also need to be processed.

The Town does have a policy on the approval and posting of meeting minutes. On February 9, 2010, the Board approved a policy regarding "Placing Meeting Minutes on Website", which is enclosed.

Section 3 and 3.a in the policy regarding the approval of minutes (for binding and non-binding committees) reads as follows:

3. All minutes for Town binding committees must be filed with the Town Clerk's office in their final, approved form with the necessary signatures and date of approval on that final form within two weeks of being accepted.

All minutes for Town non-binding committees must be filed with the Town Clerk's office in their final form within two weeks of the date of approval.

- a. For most boards, commissions, or committees the signature(s) will be that of the secretary of the board, the chairperson or a majority of the board, commission or committee.

Proposed amendment:

3. All minutes for Town binding committees must be filed with the Town Clerk's office in their final, approved form with the necessary signature(s) and date of approval ~~on that final form~~ within ~~two weeks~~ 30 days of being accepted the original meeting date. An additional 30 days may be extended for meetings that are exceptionally long or complicated.

All minutes for Town non-binding committees must be filed with the Town Clerk's office in their final form within ~~two weeks~~ 30 days of the date of approval the original meeting date. An additional 30 days may be extended for meetings that are exceptionally long or complicated.

- a. For most boards, commissions, or committees the signature(s) will be that of the secretary of the board, the chairperson or a majority of the board, commission or committee.

We should also remind Committee Chairmen of the language listed in item 3.a. and ask them to amend their committee's by-laws if they require all members to approve and sign minutes. A chairperson, vice-chairperson, or secretary's signature is acceptable.

MOTION: To move to a second reading on May 24th and notify all Committee Chairmen of the proposed amendment to the Policy.

- c. Discuss a Request to Waive the Beach Parking Permit Requirements for KBIA (3-5 minutes) – We received a request from Elizabeth Lapointe, Events Coordinator for KBIA, to waive the beach parking permit requirements to allow the attendees and volunteers of their July 10th Road Race access to park at Mother’s Beach. In prior years, this waiver has been approved.

They are requesting to have the permit requirements waived for the following event:

**Sunday, July 10 - A Day at the Beach, 5K Road Race
6:00 a.m. to 12:00 p.m. at Mother’s Beach only
(to accommodate registration and road race)**

MOTION: To waive the beach parking permit requirements for KBIA’s “A Day at the Beach” Road Race on July 10th from 6:00 a.m. to noon at Mother’s Beach only.

- d. Discuss Boards and Committees (resignations/appointments, if any) (3-5 minutes)

• **Appointment of Resident(s) being interviewed at the beginning of the meeting:**

- Amy Eileen Tyson Downtown Committee (1) Alternate 2016
- Paul Bevacqua Historic Preservation Comm. (1) Alternate 2016

If the Board wishes to make the appointments, the motion could be as follows:

MOTION: To appoint Amy Eileen Tyson as an Alternate member on the Downtown Committee with a term expiring on June 30, 2016 (when all other alternate positions expire) and Paul Bevacqua as an Alternate member on the Historic Preservation Commission with a term also expiring on June 30, 2016.

- e. Discuss Any Other Business (2-3 minutes)

10. Selectmen’s Comments

- a. Subcommittee Reports (if any)
- b. Individual Selectmen Comments

11. Town Manager’s Comments/Notes

- a. **May 18 – Candidates Night for Candidates Running for Two Positions on the Board of Selectmen** – Wednesday, May 18th at 6:30 p.m., 3rd floor of the Town Hall.

The candidates running for the two seats on the Board of Selectmen are L. Blake Baldwin, Thomas Cahoon, Richard Morin, and William Ward, Jr.

Members of the public can attend the Candidates’ Night in person at the Town Hall, view it live on digital Cable TV Channel 5, or stream it live (or watch it later) at www.townhallstreams.com. It will also be re-broadcast on Channel 5 periodically until Election Day, June 14th.

- b. **May 21 – Board of Selectmen Outreach Sessions** – The next session will be held on Saturday, May 21st on the 3rd floor of the Town Hall from 8:30 a.m. to 10:30 a.m. Selectmen Cluff and Morin will host this session.

These sessions will provide residents with a chance to meet and talk with Selectmen on a one-on-one basis. They will be informal gatherings attended by two Selectmen. Refreshments will be available.

Sessions are generally held on the 3rd Saturday of each month at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

- c. **May 30 – Memorial Day Parade 2:00 p.m. – Main Street**
Veterans Appreciation Concert (after parade) – Waterhouse Center (all are welcome!)

This year, a free Memorial Day Veterans Appreciation Concert will be held at the Waterhouse Center. The concert features the Don Campbell Band with a special tribute to local veterans. Please join us for this special concert. This year marks the 150th Anniversary of the celebration of Memorial Day (1866-2016).

- d. **May 31 – Survey Deadline**

We want to hear from you! Complete our Online Survey (or paper version available at Town Hall) Deadline extended to May 31st! The Town is developing a strategic planning process to guide their future activities. The survey is divided into three sections:

1. Strategic planning questions for the Board of Selectmen and Town Manager
2. Comprehensive planning and land use questions for the Update Committee
3. Demographic information about you to help us better understand trends in the community

Please take the time to participate in this important effort. Your comments and observations will be anonymous and we encourage you to be open and candid.

The online survey can be found on the homepage of the Town's website (under News & Announcements) or at www.kennebunkmaine.us/planningsurvey. Printed copies are also available at the Town Clerk's Office. Surveys must be completed by May 31st.

- e. **Wright Pierce Report/Dams** – On March 22, 2016, Kennebunk Light & Power District released the updated Wright Pierce Hydro Alternates Report regarding the dams. The report is posted on their website at: www.klpd.org/hydro-facilities. It can also be found on the Town's website at: www.kennebunkmaine.us/klpd.

12. Executive Session(s)

- a. **Discuss an Economic Development Matter** with the Town Manager, Economic Development Director and Finance Director regarding an economic development matter where premature disclosure of the same would prejudice the competitive bargaining position of the Town relative to the same - Title 1 MRSA Sec. 405(6)(C)
- b. **Discuss Pending Litigation** with the Town Manager, Director of Community Development, Finance Director and Town Attorney - Title 1 MRSA Sec. 405(6)(E)

13. Adjournment

Special
Meeting
6:15 p.m.
(interviews)

1. Do you have any questions about what the committee does or its mission?

NOT YET.

2. Do you have any practical experience or formal education that would be related to the committee?

I HAVE WORKED IN HIGH STRESS ENVIRONMENTS WITH PEERS OF VERY DIFFERENT BACKGROUNDS. IT HAS MADE ME PATIENT, THOUGHTFUL + PRAGMATIC.

3. Why would you like to be on the committee?

I BELIEVE KENNEBUNK IS A LOVELY, PROSPEROUS PLACE.

I WOULD LIKE TO SUPPORT MY TOWN. AND I WOULD LIKE TO BETTER UNDERSTAND THE ROLE OF GOVERNMENT.

4. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings?

YES.

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

NOT OF WHICH I AM AWARE. I OWN A BUSINESS --

WHICH I SEE AS MORE OF AN ASSET THAN A CONFLICT.

6. Do you have anything you would like to add?

NO, THANK YOU. ☺

SIGNATURE: _____

Ang Lyon

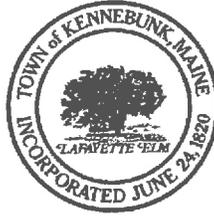
4-25-16

Thank you for volunteering to serve your community.

Please return form by (1) mailing or dropping off to the Town Manager's Office, 1 Summer Street, Kennebunk, ME 04043, (2) emailing to knolette@kennebunkmaine.us, or (3) faxing to: 207-985-4609.

The Board of Selectmen will consider all applications. Once the form has been submitted to the Town Manager's office, an informal meeting will be set up for you to meet the Selectmen. The Selectmen like to meet all candidates before appointing them to committees. Please note that not all committees currently have openings; however, vacancies occur on a regular basis. If the committee you wish to serve on does not have an opening at this time, you may still submit the form and your name will be placed on a waiting list. You will be notified when an opening occurs on that committee.

Thank you for considering serving the Town on one of the many Town committees.



Committee Volunteer Form
(please type or print clearly)

Full Name PAUL Bevacqua

Street Address 46 Summer Street

Mailing Address (if different from street address) (same)

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Historic Commission
Committee

(Check one or both):

Regular Membership Status (3-year term)

or

Alternate Membership Status (1-year term)
(Alternates vote if Regular member absent)

Town Use Only:

Committee: _____

Membership: Regular or Alternate

Term ends: _____

Do you currently serve on any Town committee? No

If so, please list the committee and the number of years of service _____

Occupation Retired

Employer N/A

List any civic organizations to which you belong: None

Please complete questions on back of this form

1. Do you have any questions about what the committee does or its mission?

No

2. Do you have any practical experience or formal education that would be related to the committee?

20 years residential remodeling in New England, including work on historic buildings

3. Why would you like to be on the committee?

I live in historic district and believe my experience would be helpful to the committee

4. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings?

Yes, Yes

5. Do you have any conflict of interest that might involve either a direct financial gain or other gain?

No

6. Do you have anything you would like to add?

SIGNATURE: Paul Bevaquo

Thank you for volunteering to serve your community.

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Thank you for considering serving the Town on one of the many Town committees.

2

(MINUTES)

TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, APRIL 26, 2016 – 6:30 P.M.
MINUTES

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate for Committees:

Lorraine Burr

Downtown Committee

Vacancies: (2) Alternate 2016

Candidate Burr explained why she is interested in joining the Downtown Committee. She further explained that she has flexibility and wanted to give back to the community. Donovan explained the Board will vote later in the meeting and she will be informed of their decision.

1. REGULAR MEETING

On April 26, 2016, at 6:30 p.m., in Room 301 of the Town Hall, Kevin Donovan, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Regular Meeting of the Board of Selectmen. Present were Daniel Boothby, Richard Morin, Kevin Donovan, Edward Karytko, Deborah Beal, Shiloh Schulte and Christopher Cluff.

Also in attendance were Town Manager Barry Tibbetts and Finance Director Joel Downs.

Budget Board members present were Chairman Peter Marshall, John Costin, Larry Dwight, Donald Burnham and William Ward, Jr. Absent was Thomas Wiggins.

2. MINUTES

a. April 12, 2016 Regular Meeting

A motion was made to accept the Minutes of April 12, 2016.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

3. ITEMS TO BE SIGNED

None.

The Chair proceeded to the next item.

4. **PUBLIC HEARING(S)**

- a. The Chair opened the public hearing to act on the following:

**Boulangerie, LLC d/b/a Boulangerie
Located at 5 Nason's Court
For a renewal Malt and Vinous Liquor License Application**

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

DISCUSSION:

Tibbetts explained that there are no calls for services and no deficiencies noted.

There were no public comments.

A motion was made to approve the renewal Malt and Vinous Liquor License Application for Boulangerie, LLC d/b/a Boulangerie.

MOVED: Cluff

SECONDED: Morin

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- b. The Chair opened the public hearing to act on the following:

**Ports of Italy The Kennebunks d/b/a Ports of Italy
Located at 4 Western Avenue
For a renewal Malt, Spirituous, and Vinous Liquor License Application**

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

DISCUSSION:

Tibbetts reported that there were no calls for services and no deficiencies noted. Cluff mentioned that he does some work for Ports of Italy and asked if he should recuse himself. Board members did not feel it necessary.

There were no public comments.

A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application for Ports of Italy The Kennebunks d/b/a Ports of Italy.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- c. The Chair opened the public hearing to act on the following:

**Old Vines Wine Bar d/b/a Old Vines Wine Bar
For a new Special Amusement Permit
Located at 173 Port Road**

Town Manager's Note (not part of the public hearing notice):

Fire Department: Due to the renovations currently underway, the facility is not ready for a Fire & Life Safety Inspection. The Fire Chief's recommendation is to issue the licenses and hold until the following have occurred: Code Enforcement Officer's final inspection and Fire Department's Fire & Life Safety Inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

There were no public comments.

A motion was made to approve the new Special Amusement Permit for Old Vines Wine Bar d/b/a Old Vines Wine Bar, pending final inspection by the Code Enforcement Officer and Fire Department.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- d. The Chair opened the public hearing to act on the following:

**Proposed Zoning Ordinance Amendment-Art. 8, Section 6.B.7-3,
under the accessory use called Renting of Rooms**

Proposed Town Meeting Warrant Article:

Art. ___ Shall an ordinance entitled "Kennebunk Zoning Ordinance" be enacted to revise the text of Section 6.B.7-3 as shown below?

Permitted Uses: The following accessory uses: Renting of rooms, not to exceed six rented rooms.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

Town Manager's Note (not part of the public hearing notice):

The changes to Art. 8, Section 6.B.7-3, under the accessory use called Renting of Rooms, would require a Town Meeting vote.

DISCUSSION:

Resident Sharon Staz encouraged the Board to pass the ordinance amendment. She explained she was an innkeeper in the past and it is difficult to be successful renting only four rooms. She also believes it will be a good opportunity for new bed and breakfasts to open in Town.

Karytko asked Tibbetts if there were any problems with parking, etc. Tibbetts responded that there were none.

A motion was made to send the proposed changes to the Kennebunk Zoning Ordinance-Art. 8, Section 6.B.7-3, under the accessory use called Renting of Rooms, to the Annual Town Meeting on June 14, 2016.

MOVED: Schulte
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

NOTES REGARDING PUBLIC HEARINGS E & F (PAY-AS-YOU-THROW AND LD1) BELOW:

At the Selectmen's meeting on April 12th, the public hearings below (regarding PAYT and LD1 Property Tax Levy Limit) were held.

PAYT: The Board of Selectmen voted not to send the PAYT question to the Annual Town Meeting on June 14, 2016, while the Budget Board, at an earlier meeting that evening, voted to send the PAYT question to the Annual Town Meeting.

LD1 Property Tax Levy Limit: The Board of Selectmen declined to vote on this question, while the Budget Board, at an earlier meeting that evening, voted to send the LD1 Property Tax Levy Limit question to the Annual Town Meeting.

After consulting with the Town attorney about the PAYT question as written, the following was determined:

- The PAYT question cannot go forward solely on a Budget Board recommendation since the question involves both a policy (Ordinance amendment) and funding.
- The Selectmen could reverse the prior decision (of April 12), which would keep the question on the ballot
- The Selectmen could make no further changes
- The Selectmen could send a non-binding question to the voters concerning this topic

The Town attorney is present to discuss the options with the Board of Selectmen and Budget Board, who were invited to the meeting for this discussion.

The Chair proceeded to the next item.

e. The Chair opened the public hearing to act on the following:

A continuation of the discussion regarding the Pay As You Throw program.

Additional information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Below is information from the April 12th Public Hearing:

Amendments to the Pay As You Throw Ordinance

Proposed Town Meeting Warrant Article:

Art. ___ Shall an Ordinance entitled "Amendment to Section 3-14 of the Town's Solid Waste, Pay as You Throw, Recycling and Residential Compost Ordinance" be enacted to delete all references to "Pay As You Throw" and related provisions thereby eliminating the "pay per bag" trash program in Kennebunk, which shall raise and appropriate \$435,000 for the collection and disposal of the Town's municipal solid waste and other related miscellaneous expenditures by assessment.

[Fiscal Note: If this ordinance amendment passes, the elimination of the "Pay As You Throw" program of trash collection (purchase of blue and purple trash bags) will result in an increase to the Town's budget by \$435,000, which is the equivalent of (an approximate) \$.23 increase to the Town's tax mil rate. On the other hand, if this ordinance amendment fails, the continuance of the "Pay as You Throw" trash program may require the price of bags to be increased by 35%.]

Note: This warrant article pertains to the Town's blue and purple trash bags, not the Town's new trash and recycling containers. The containers will continue to be used regardless of the outcome of the vote.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office and on the Town's website at www.kennebunkmaine.us.)

A motion was made to reconsider the April 12th vote.

MOVED: Morin

SECONDED:

MODIFICATIONS: Withdrawn

VOTE:

DISCUSSION:

Morin thought that before a discussion could be started a motion was necessary. In order to have discussion, Donovan opened up the public portion of the meeting.

Budget Board member and resident John Costin believes the Budget Board did not vote to send the article to the voters and the initial vote was an approval of budgetary matters only. Resident Rachel Phipps stated she was very encouraged and happy to see the topic having good discussion.

The Town's attorney, Bill Dale, gave a summary of the last meeting's events and stated current law remains in place for the PAYT ordinance and it is okay for the Selectmen to reconsider it and put it on the June ballot along with a fiscal note.

Budget Board members opened their meeting to reconsider their recommendation on this matter and decided to hold on their motion until the Selectmen decided what they wanted to do.

Morin withdrew his motion.

Karytko believes the voters should decide because it is a large issue, otherwise, the Board will not know what the people in Town want. Donovan believes the Board needs to make difficult decisions. Schulte does not believe the current options are the best and recommends their decision stay the same until there are better options. Boothby reiterated that he is in favor of doing away with the bags and voters should have a choice.

After Board discussion, the consensus was to stay with the original vote. Larry Dwight would like the Town to make up its mind. John Daamen stated that he liked Schulte's idea of a compromise from the mil rate and a user fee. The Board agreed to review and reconsider placing this item on the November ballot and include options. Cluff suggested all Board members attend a workshop to review options. Resident Rachel Phipps hopes the workshop will involve the public.

f. The Chair opened the public hearing to act on the following:

A warrant article for the 2016 Annual Town Meeting regarding LD #1 property tax Levy limit.

Additional information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Below is information from the April 12th Public Hearing:

LD 1 Property Tax Levy Limit

Proposed Town Meeting Warrant Article:

Art. ___ To see if the Town will vote to increase the Town's LD 1 property tax levy limit amount by \$435,000, but to be effective only if Article ___ above passes, eliminating the Town's Pay As You Throw solid waste program.

[Fiscal Note: The Town's LD 1 property tax levy limit will need to be increased by \$435,000 only if Article ___ eliminating the Pay As You Throw solid waste program is passed; otherwise, the LD1 limit will not be increased.]

The Board did not take a vote on this item because of the previous item will not be added to the ballot in June.

The Chair proceeded to the next item.

g. The Chair opened the public hearing to act on the following:

To hear public comment on the proposed warrant articles for the 2016 Annual Town Meeting.

The draft of the warrant was included in the Board packet.

Anthony Dater, Chair of Energy Efficiency Committee, reported the Committee is in favor of this Ordinance and asked if the recommendation of the Energy Efficiency Committee (7-0) could to be added on the ballot. Tibbetts and Donovan thought it could be done. However, the Board did not vote to do so.

The Chair proceeded to the next item.

5. PUBLIC COMMENTS

None.

The Chair proceeded to the next item.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

a. Nominations Papers for the June 14th Election: Nomination papers are available for the following positions:

Board of Selectmen	2 seats, 3-year terms
RSU 21 Director	2 seats, 3-year terms
Trustee Kennebunk Light & Power District	1 seat, 5-year term
Trustee Kennebunk Sewer District	2 seats, 3-year terms

Nomination papers are available in the Town Clerk's Office and must be returned by Monday, May 2nd by 4:30 p.m. A minimum of 25 signatures is required. FMI, please contact the Town Clerk's office at 604-1326.

DISCUSSION:

The Town Clerk, Merton Brown, gave an update of those who have taken papers out and reiterated the deadline of Monday, May 2nd by 4:30 p.m.

There were no public comments.

The Chair proceeded to the next item.

7. TIME SENSITIVE BUSINESS

a. Award the Wayfinding Signage Bids – The Town began the process of identifying wayfinding signage within Kennebunk in 2014. The goals were to:

- Welcome all to Kennebunk
- Present our three district villages and shopping areas

- Promote shopping, dining, and entertainment opportunities within Town
- Guide visitors to places of interest
- Have signage that identifies Kennebunk in a consistent manner which also informs and directs visitors.

The Town received the following four bids for the wayfinding signage:

Company	A Signs & Install	B Signs Only (price include in A)	C Fire/Police Building Signs	Total A & C
Rising Revolution Studio Shapleigh, ME	\$ 20,246.65	\$ 8,961.65	\$ 6,942.80 \$3,471.40/each	\$ 27,189.45
Creative Impressions Norcross, GA	\$ 27,680.00	\$ 11,980.00	\$ 8,900.00 \$4,450.00/each	\$ 36,580.00
Prevost Signs Kennebunk, ME	\$ 23,465.50		\$ 5,570.50 \$2,785.25/each	\$ 29,036.00
W.S. Sign Design Corp. Springfield, MA	\$ 16,991.11	\$ 9,969.31	\$ 5,165.00 \$2,582.50/each	\$ 22,156.11

The low bidder is W.S. Sign Design Corp. of Springfield, MA. The budget for the wayfinding signage, item A, which includes the signs and installation, would come from the Route One/Downtown TIF. Item C, which replaces the Fire and Police building signs, would come from the Police and Fire Department budgets.

DISCUSSION:

Tibbetts reviewed the bids and is recommending W.S. Sign Design Corp. Tibbetts pointed out the samples that were made up for the meeting to show the size of the letters and spacing. There will be 19 signs; a map was handed out. He further explained samples will be placed (location TBD) in order to get feedback from motorists. Some Board members pointed out the signs will be difficult for motorists to read. Tibbetts explained they will be adjusted and the ones shown are just samples. Beal mentioned the black for the tree was difficult to see. Resident John Daamen agreed the black on blue is hard to see. He also hopes a study of traffic flow for Lower Village will be done.

A motion was made to award the Wayfinding Sign Bid to W.S. Sign Design Corp. for \$16,991.11, to be funded from the Route One/Downtown TIF.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

A motion was made to award the Fire and Police Department Building Identification Sign Bid to W.S. Sign Design Corp. for \$5,165.00, to be funded from the Fire and Police Department's current budgets.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

b. Discuss the Road Closures for the Month of May 2016, Associated with Special Event Applications The new Special Event Policy requires Board approval for road closures. According to the Police Department, they are requesting approval for the following road closures or delays. Note: There are no changes from previous years.

- **May 14, 2016: Run For The Homeless**
This 5K race begins at Mother's Beach and has a start time of 9:00 A.M. Beach Avenue will be closed to thru traffic from the intersection of Beach Avenue and Woodland Avenue to the intersection of Beach Avenue and Boothby Road. (This is to allow for safe passage of the runners crossing the roadway to the finish line and spectators gathered in the area.) *Duration: Until the completion of the race, 10:30 A.M. +/- (start time of 9:00 A.M.)*
- **May 15, 2016: Maine Coast Marathon**
This race begins at the Kennebunk High School and has a start time of 7:30 A.M. Fletcher Street will be closed to thru traffic from the intersection of Fletcher Street & Ross Road to the intersection of Fletcher Street & Main Street. *Duration: Approximately 15 minutes (start time of 7:30 A.M.)*
- **May 22, 2016: Cocoon's Day Care "Race to Educate"**
This 5K & 10K race begins in front of the Waterhouse Center and has a start time of 10:00 A.M. Main Street northbound will be closed twice for approximately 2 minutes to allow the start of each race. The finish line is at the end of Grove Street. Grove Street will be closed for a distance of 100 feet from the intersection of Main Street. Vehicle traffic will be allowed to go behind the Kennebunk Inn and into the municipal parking lot behind Perfectos. *Duration: Until the end of both races, 12:30 P.M. +/- (start time of 10:00 A.M.)*

DISCUSSION:

Cluff asked if the sponsors of the first two races listed were nonprofits. Tibbetts replied that they were. Schulte suggested letting traffic go through when there are gaps in runners. Susan Petit, Director of the Senior Center, mentioned the Center has had their race for 25 years and has 60 volunteers stopping traffic. She also suggested having more considerations go to local nonprofits.

A motion was made to approve the road closure for May as noted above.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Board would like to continue to see items relating to road closures on the Agenda.

The Chair proceeded to the next item.

- c. Approve the CDBG Application for a Economic Development Program for Gymnation Discussed at the 3/8/16 Public Hearing – At the March 9th meeting, the Board held public hearings to discuss CDBG applications. The Board needs to vote to send the Economic Development Program application for **Gymnation** to the Department of Economic Development and Community Development (DECD).

Listed as Public Hearing 4.i on the March 8th agenda:

To discuss an application being submitted to the State of Maine CDBG program for a Microenterprise grant. The purpose of the request is to assist **Gymnation** with gap financing of \$120,000 to develop a new home, with a new structure and equipment along Route 1 south, adjacent to Garret Pillsbury.

Monies will be used for the purchase of new equipment. This move is necessitated by the demolition of their present building on Water Street for use in the future Sewer Treatment Expansion Project. The application is for \$120,000. Total project costs will be in excess of \$1.3 million.

DISCUSSION:

Matt Eddy, Economic Development Director, explained the importance of the Town supporting Gymnation for the CDBG application.

There was no public comment.

A motion was made to approve the submittal of the CDBG application for a Microenterprise grant to the Department of Economic and Community Development for Gymnation.

MOVED:

Cluff

SECONDED:

Schulte

MODIFICATIONS:

None

VOTE:

7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

8. OLD BUSINESS (2ND READING)

- a. Discuss the Creation of a New Committee on Aging – At the last meeting, the Board discussed the creation of this new committee. Our current committees range in size from three to eleven members. The majority of committees have five regular members and two alternate members, for a total of seven.

With new committees, we advertise on Channel 5, on our website and send a news brief to the local reporters, seeking members. Based on the interest received, the Board could then decide on the number of committee members. On several committees, we have also have ex-officio members. This new committee may be aided by representatives from the Chamber of Commerce and the Town's Social Services and Planning Office.

The following was provided at the last meeting concerning the focus of the new committee:

The committee would:

- gather relevant information pertaining to senior citizens residing in Kennebunk
 - medical services
 - recreation centers for seniors
 - senior residences, nursing homes, rehab centers, hospices
 - nursing services, physician/elder care specialists
 - private groups concerned with elder care
- establish a liaison with other Town committees and departments which have relevant concerns
 - Social Service/GA Department
 - Town Committees (Affordable Housing, Community Garden, Festival, Recreation, Planning Board)
- gather information from seniors and interested entities working on behalf of seniors, so that the committee might advise Town officials about issues of immediate concern

Once the committee is established, committee members could recommend a name for the committee.

DISCUSSION:

Discussion of having the police department being an ex-officio for the committee.

Bevan Davies and Susan Petit expressed their thanks to the Board for letting this committee be formed.

A motion was made to advertise for the formation of a new committee focusing on seniors, with interested members meeting briefly with the Selectmen at 6:15 p.m. at the May 24th meeting.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- b. Discuss a Policy on Town Hall Flag Display – At the last meeting, the Board discussed the possibility of a new policy honoring deceased veterans of Kennebunk. This would entail flying the American Flag at half-mast on the day of the veteran's funeral or burial. The policy also allows the flag to be flown at half-mast for others as designated by the Selectmen. Included in the Board packet is a draft of the Flag Policy.

DISCUSSION:

Karytko and Beal expressed their gratitude to Donovan for bringing this to the Board.

A motion was made to approve the proposed Flag Policy.

MOVED: Karytko
SECONDED: Morin
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

9. New Business (1st Reading)

- a. Discuss the TIF Priority Rankings – In January, the Board discussed the usage of TIF funds with the Economic Development Committee (EDC). At that time, the Board asked the EDC to refine the priorities, identify costs and provide further explanation of the projects.

The Economic Development Committee has reviewed all three TIF Districts and the various capital improvements for each area. During this review, the EDC identified a number of adjacent roadways which could be included for improvements, thusly reducing some road improvements in the current program listing. The document also lists out the necessary capital improvements to support existing and new businesses and possible expansions.

DISCUSSION:

Tibbetts explained that there was a scheduling conflict for Blake Baldwin and suggested moving this to the May 5th meeting. Morin does not believe a Board meeting would be enough time to discuss this issue and suggested a workshop. Donovan recommended addressing this item with the new Board after the June 14th annual meeting. Cluff stated new member(s) can meet with Tibbetts and Downs. Beal feels that there are many misconceptions and the public should have the opportunity to hear the background and basics on TIFs. Morin described why it is important to look at the justification of the expenditures. Tibbetts suggested the Board listen to the summary from the Economic Committee and go into a workshop after. Morin mentioned the Board has not given the Committee better direction. The Board decided to hold a workshop after the June 14th election, therefore, no motion was necessary.

- b. Discuss the Usage of the Town's Portion of the Garden Street Parking Lot for the Kennebunk Farmers' Market -- The Kennebunk Farmers' Market has requested to use the Town's portion of the Garden Street Parking Lot from May Day (May 7th) to mid-November. This would entail using the lot for 30 Saturdays from 7:30 a.m. to 1:30 p.m. They will clean the lot when finished each week, provide their own portable toilets and storage area (the storage area will be a neighboring private property).

FYI, each artisan or crafter at the Waterhouse Center pays a yearly fee of \$100 (\$50 for rental and insurance and \$50 for promotion of the Waterhouse Center) and covers the time period of May to October.

DISCUSSION:

Tibbetts explained that he received an email from the Farmers' Market group and they offered to donate \$300 to the Town for the Community Gardens for the use of the Garden Street parking lot. Schulte does not believe the Farmers' Market should be charged a fee. Cluff pointed out that the crafters are charged a fee and questioned the fairness. Beal mentioned the Farmers' Market offers information as well as food.

A motion was made to allow the Kennebunk Farmers' Market use of the Town's portion of the Garden Street Parking Lot from May 7th to mid-November of 2016 during the hours of 7:30 a.m. to 1:30 p.m.

MOVED: Schulte

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- c. Discuss the Memorial Day Parade and Veterans Appreciation Concert – The Town’s Memorial Day Parade will be held on Monday, May 30th beginning at 2:00 p.m. The Town generally closes Main Street for the duration of the parade from 2:00 p.m. to 3:00 p.m. ±

This year, a free Memorial Day Veterans Appreciation Concert will be held at the Waterhouse Center after the parade. The concert features the Don Campbell Band with a special tribute to local veterans. Depending on the concert attendees, the Town may need to extend the road closure (after the parade) or restrict the area for no parking (from Grove Street to Nason’s Court on the Waterhouse Center side) using barricades to prevent parking. This restrictive parking would allow for an overflow from the concert, if necessary. Should the overflow area not be sufficient, the Police would redirect traffic as necessary.

DISCUSSION:

Tibbetts explained there is a 15-minute delay after the parade and, at that time, they will be able to assess the size of the crowd. He further explained that there are 400 seats at Waterhouse Center and there may be no issue. There will be coverage from the police and volunteer firefighters.

A motion was made to extend the road closure and restrict parking near the Waterhouse Center, if necessary, as noted above for the Memorial Day Veterans Appreciation Concert with Police redirecting traffic for public safety as needed.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- d. Discuss Applying Kennebunk’s RSU 21 IUUAL MainePERS Distribution – At the Board of Selectmen’s regular meeting on April 28, 2015, the Board voted to allow the Town Manager and Finance Director to determine when to apply the distribution of \$731,679 over the next four years. The goal of this was to lessen the increase of the RSU 21 assessment to the Town of Kennebunk due to the school renovation bonds issued last fall. The focus last year was on the assessments for FY2017, 2018 and 2019. However, the RSU’s debt service payments for its 2015 general obligation bonds are greatest during FY2019 through 2023 – five years (schedule included in the Board packet).

Three scenarios have been calculated for applying the distribution:

A) a three-year straight-line allocation during FY2017 through FY2019;

B) a three-year proportional allocation during FY2017 through FY2019; or

C) a five-year allocation that levels the estimated debt service assessment to approximately \$2,009,084 during FY2019 through FY2023.

(See spreadsheet that was included in the Board packet.)

No motion is required if scenario A or B is preferred. The following motion is required if the Board prefers scenario C.

DISCUSSION:

Donovan asked Downs what the better choice is from the Town's position. Downs replied that accounting-wise there is no difference and explained the three scenarios. Karytko prefers option A because it gives money to taxpayers sooner and some may not be around in five years. After further discussion, the Board decided not to consider option C. No motion was necessary.

There were no public comments.

The Chair proceeded to the next item.

- e. Set the Date for Candidates' Night – With the upcoming election for municipal officers, we have four potential candidates (at this time) for two seats on the Board of Selectmen. As of this writing (April 22), not all have returned their papers, however the deadline is not until Monday, May 2 at 4:30 p.m.

Would the Board like to host a Candidates' Night for those running for Selectmen? A possible date would be Wednesday, May 18th at 6:30 p.m. We would find a facilitator for this event and it would be televised and streamed live as we do with our other meetings.

DISCUSSION:

Donovan questioned the value of holding a Candidates' Night. Cluff believes it would give the newspapers an opportunity to ask questions. Tibbetts stated it depends on how many people are running and definitely the Selectmen because there are two positions.

There were no public comments.

A motion was made to schedule the Candidates' Night for Wednesday, May 18th at 6:30 p.m. for candidates running for the Board of Selectmen.

MOVED: Karytko
SECONDED: Morin
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

- f. Discuss Boards and Committees (resignations/appointments, if any)

• **Appointment of Resident being interviewed at the beginning of the meeting:**

Lorraine Burr Downtown Committee Vacancies: (2) Regular 2016

There were no public comments.

A motion was made to appoint Lorraine Burr as an Alternate member on the Downtown Committee with a term expiring on June 30, 2016 (when all other alternate positions expire).

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

Accept the following resignations (resignations were received on April 25, 2016):

Alexsandra Jean	Planning Board	Alternate 2016
Eliza Chappell	Historic Preservation Commission	Regular 2017

There were no public comments.

A motion was made to accept the resignations of Alexsandra Jean from the Planning Board and Eliza Chappell from the Historic Preservation Commission and send letters thanking them for their service.

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

A motion was made to move Judy Anne Jandreau from alternate to a regular member on the Historic Preservation Committee taking Eliza Chappell's place.

MOVED: Donovan
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion carried.

The Chair proceeded to the next item.

g. Discuss Any Other Business

None.

The Chair proceeded to the next item.

10. SELECTMEN'S COMMENTS

a. Subcommittee Reports (if any)

Beal and Schulte described the Outreach Session they hosted. Schulte stated there was not a large turnout but those who came had strong opinions and good ideas. There were discussions of signage and dog waste on the Bridle Path. Beal was appalled by people not cleaning up after their dogs and suggested adding signs to the area.

Schulte stated there is a meeting of the RSU 21 Community Strategic Forum the following morning at 7:45 – 8:45 am. at the Middle School of the Kennebunk's. Board members discussed the pros and cons of residents speaking at the podium.

Boothby attended the dog Committee meeting.

b. Individual Selectmen Comments

Selectman Schulte

- His comments were stated in the previous item.

Selectman Boothby

None

Selectman Cluff

- Attended a brunch at the Senior Center and learned a lot about the Center and suggested funneling their concerns through the newly formed Senior Committee.

Selectman Karytko

- Trash – wants to work with PAYT Sub-committee to come up with a solution.
- Potholes – asphalt plants are open and asked Tibbetts if there is a schedule. Tibbetts replied there will be and have started the process. Karytko pointed out that Ross Road is rough.
- Senior Center – he apologized that he was unable to attend the brunch.
- The West Kennebunk hydro seeding was done and the Town did a good job.

Selectman Beal

- Sorry she was unable to attend the Senior Center brunch. Cluff mentioned they are once a month except for May.
- Beal about the Coffee with the Chiefs. Tibbetts stated the Fire and Police chiefs are attending an upcoming Coffee with the Chiefs on May 5th at Duffy's. This will be the first time they are attending together.

Selectman Donovan

- Congratulated Selectman Schulte for completing the Boston Marathon.

Selectman Morin

- Apologized to the Senior Center because he was unable to attend the brunch as well.
- Enjoyed stopping by the Selectmen Outreach Session.

The Chair proceeded to the next item.

11. TOWN MANAGER'S COMMENTS/NOTES

a. **Note: Survey Deadline Extended to May 31st**

We want to hear from you! Complete our Online Survey (or paper version available at Town Hall) Deadline extended to May 31st! The Town is developing a strategic planning process to guide their future activities. The survey is divided into three sections:

1. Strategic planning questions for the Board of Selectmen and Town Manager
2. Comprehensive planning and land use questions for the Update Committee
3. Demographic information about you to help us better understand trends in the community

Please take the time to participate in this important effort. Your comments and observations will be anonymous and we encourage you to be open and candid.

The online survey can be found on the homepage of the Town's website (under News & Announcements) or at www.kennebunkmaine.us/planningsurvey. Printed copies are also available at the Town Clerk's Office. Surveys must be completed by May 31st.

b. **May 21st**

Board of Selectmen Outreach Sessions – The next session will be held on Saturday, May 21st and will be held on the 3rd floor of the Town Hall from 8:30 a.m. to 10:30 a.m. This session will be hosted by Selectmen Cluff and (TBD).

These sessions will provide residents with a chance to meet and talk with Selectmen on a one-on-one basis. They will be informal gatherings attended by two Selectmen. Refreshments will be available.

Sessions are generally held on the 3rd Saturday of each month at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

- c. Wright Pierce Report/Dams – On March 22, 2016, Kennebunk Light & Power District released the updated Wright Pierce Hydro Alternates Report regarding the dams. The report is posted on their website at: www.klpd.org/hydro-facilities. It can also be found on the Town's website at: www.kennebunkmaine.us/klpd.

The Chair proceeded to the next item.

12. **EXECUTIVE SESSION(S)**

- a. Discuss an Economic Development Matter with the Town Manager, Economic Development Director and Finance Director regarding an economic development matter where premature disclosure of the same would prejudice the competitive bargaining position of the Town relative to the same - Title 1 MRSA Sec. 405(6)(C)
- b. Discuss Pending Litigation with the Town Manager and Finance Director - Title 1 MRSA Sec. 405(6)(E)
- c. tor of Public Services - Title 1 MRSA Sec. 405(6)(D)]
- d. Discuss a Personnel Issue with the Town Manager and Finance Director - Title 1 MRSA Sec. 405(6)(A)]

A motion was made to go into Executive Session at 8:20 p.m.

MOVED: Donovan

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

Upon coming out of Executive Session, the Board stated there was nothing to report.

13. ADJOURNMENT

A motion was made to adjourn the meeting at 9:30 p.m.

MOVED: Donovan

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion carried.

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: _____

DRAFT

7.b.

**WARRANT FOR THE
ANNUAL TOWN MEETING
JUNE 14, 2016**

To Barbara Duffy, a resident of the Town of Kennebunk in the County of York and State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the said Town of Kennebunk, qualified by law to vote in Town affairs, to assemble in the Edward C. Winston Town Hall Auditorium of said Town on Tuesday, the 14th day of June, A.D. 2016 at six (6:00) o'clock in the forenoon, then and there to act on the articles listed below.

The polls will open as soon as Article 1 has been acted upon and will remain open to vote on Articles 2 through 10 until eight (8:00) o'clock in the evening.

The Registrar hereby gives notice that the Town Clerk's Office will be open for the purpose of registering voters and correcting a list of voters on Monday, June 6, 2016, Tuesday, June 7, 2016, Wednesday, June 8, 2016 and Thursday, June 9, 2016 from 8:00 a.m. to 7:30 p.m. The Registrar will be in the Edward C. Winston Town Hall Auditorium on Election Day, June 14, 2016, until the closing of the polls to register voters and to correct names and addresses.

Article 1: To choose a Moderator to preside at said meeting.

Article 2: To choose, by ballot, the following Town Officials, namely, Two Selectmen, for three years; Two RSU #21 Board of Directors, for three years; One Trustee for the Kennebunk Light & Power District, for five years; and Two Trustees for the Kennebunk Sewer District, for three years.

Article 3: Referendum Question 1: To see if the Town will vote to appropriate \$12,216,550 for General Government Services (Selectmen, Town Clerk's Office, Assessor's Office, Town Manager's Office, Office/Administration, Community Development Division, Town Hall Maintenance, Computer Department, Social Services, Employee Benefits, Operational Contingency, Kennebunk Free Library, Boards and Commissions, and Agencies), Public Safety (Police/Communications, Harbormaster, Fire, Ambulance, Lifeguards, and Civil Emergency Preparedness), Public Services (Highway, Recycling, Solid Waste, Hydrants and Street Lights, Parks, Recreation, and Recreation Facilities), and Debt Service (principal and interest of bond & lease/purchase payments) with \$4,096,100 to be funded from estimated revenues, \$100,000 from unassigned general fund balance ("surplus"), \$4,000 from restricted trust fund balance, and \$8,016,450 to be raised by assessment.

(Information regarding the proposed operational budget as listed above is on file and may be reviewed in the Town Clerk's office, on the Town's website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a majority vote. (Selectmen did not vote for their own budget.)

Budget Board recommends acceptance of this article by a majority vote.

**YES
NO**

Article 4: Referendum Question 2: To see if the Town will vote to transfer from the unassigned general fund balance ("surplus") the sum of \$854,080 and to appropriate the same for the purchase, rental and repair of capital vehicles and equipment; Town Hall and Fire Department Central Station insulation projects; road cracksealing, gravel, culvert and basin projects; capital improvements and equipment reserves; reserves to be used to reduce current and future debt service; and to reduce the Pay-As-You-Throw solid waste enterprise fund deficit balance.

(A listing of the proposed capital projects, equipment and vehicles, transfers to capital and reserve accounts, transfer to capital assets and projects, and transfer to the Pay-As-You-Throw solid waste enterprise fund is on file and may be reviewed in the Town Clerk's office, on the Town's website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 3 absent.

**YES
NO**

Financial Statement for Article 5 Referendum Question 3: The issuance of bonds by the Town of Kennebunk is one of the ways in which the Town borrows money for certain purposes. The following is a summary of the bonded indebtedness of the Town of Kennebunk as of April 2, 2016.

Bonds Now Outstanding and Unpaid	\$11,609,000
Interest to be Repaid on Outstanding Bonds	<u>\$ 1,883,872</u>
Total to be Repaid on Bonds Outstanding	<u>\$13,492,872</u>

Additional Bonds to be Issued if Approved by Voters:

Referendum Question 3, For road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system. \$ 2,570,000

Estimate of Potential New Interest on Such Additional Bonds:

Referendum Question 3, For road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system. \$ 378,062

Total Additional Bonds to be Issued and Estimated Interest if Approved by Voters: \$2,948,062

When money is borrowed by issuing bonds, the Town must repay not only the principal amount of the bonds but also interest on the bonds. The amount of interest to be paid will vary depending upon the rate of interest and the years to maturity at the time of issue. The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the estimates made of the costs involved, including varying interest rates, the estimated cost of interest on the bond amount to be issued and the total cost of principal and interest to be paid at maturity.

/s/ _____
Joel E. Downs,
Treasurer, Town of Kennebunk

Article 5: Referendum Question 3: To see if the Town will vote to approve a general obligation bond borrowing, short-term note borrowings or lease/purchase agreements, of up to \$2,570,000, or combination thereof as determined by the Board of Selectmen, for the purpose of financing expenditures for road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system, hereby authorized, with the bonds and notes to be issued with or without call provisions and with such dates, maturities, denominations, interests rate(s), redemption provisions and other details as the Municipal Officers shall determine (total estimated debt service of \$2,948,062 of which principal is \$2,570,000 and estimated interest at 3.25% over 10 years is \$378,062) and to accept any monetary or in-kind donations and grants for these assets or projects.

Note: The bonds to be issued, if approved by the voters, may have a first-year bond payment (principal and interest) estimated to be \$400,480, starting in fiscal year 2017-18, depending when the bonds are issued. The average annual bond payment (principal and interest) over the 10-year term is estimated to be \$294,806 per year.

(Information regarding the proposed road paving, drainage and bridge repair or replacement and other capital improvement projects; a Public Services plow/dump truck, a Fire/EMS Department ambulance, two (2) Recreation Department buses, and a computer network back-up system is on file and may be reviewed in the Town Clerk's office, on the Town's website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 6 in favor, 1 opposed.

Budget Board recommends acceptance of this article by a vote of 4 in favor, 3 absent.

YES
NO

Article 6: Referendum Question 4: Shall an ordinance entitled “Amendment to Sec. 4-7 of the Town’s Property Tax Assistance Ordinance” be enacted to delete references to the State of Maine’s repealed “Circuit Breaker Program” and to establish new eligibility requirements based on the State of Maine’s new “Property Tax Fairness Credit,” as well as a new amount of property tax assistance of \$300 or other prorated amount based on available funds?

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 7: Referendum Question 5: Shall a new ordinance entitled “Single-Use Plastic Carry Out Bag Ordinance” be enacted to eliminate the use of single-use carry out plastic bags by retail establishments engaged in the sale of food or other merchandise in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 8: Referendum Question 6: Shall an ordinance entitled “Amendments to the Town’s Street Vendors and Peddlers Ordinance” be enacted to revise the text of Section 6-1.5 Location and Section 6-1.13 Amendments as shown below?

Section 6-1.5

6.e. Applicant shall comply with all local ordinances and restrictions pursuant to the terms of any permit of the Code Enforcement Officer.

Section 6-1.13

The Board of Selectmen may, after public notice and hearing, amend this Ordinance and draft and adopt regulations implementing the terms of this Ordinance on any matter not expressly set forth herein or as otherwise provided by law.

Proposed additions to the text are underlined.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, or the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 9: Referendum Question 7: Shall a new ordinance entitled “Pawnbrokers Ordinance” be enacted to create regulations for the licensing and operation of pawnbrokers and related businesses in the Town of Kennebunk?

(A copy of the proposed ordinance is available for review and inspection at the Town Clerk’s Office, on the Town’s website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

Article 10: Referendum Question 8: Shall an ordinance entitled "Kennebunk Zoning Ordinance" be enacted to revise the text of Section 6.B.7-3 as shown below?

Permitted Uses: The following accessory uses: Renting of rooms, not to exceed six rented rooms.

(A copy of the proposed ordinance amendments is available for review and inspection at the Town Clerk's Office, on the Town's website at www.kennebunkmaine.us, or at the polling place prior to voting.)

Selectmen recommend acceptance of this article by a vote of 7 in favor, 0 opposed.

YES
NO

HEREOF FAIL NOT to make due service of this warrant and return of your doings thereon, at the time and place of said meeting.

GIVEN UNDER OUR HANDS at Kennebunk, Maine in the County of York and State of Maine the 10th day of May in the year of Our Lord Two Thousand and Sixteen.

A majority of the Municipal Officers of
Kennebunk, Maine.

Attest: A True Copy:

Merton Brown, Town Clerk

RESIDENT'S RETURN

Pursuant to the within warrant, to me directed, I have notified and warned the Inhabitants of the Town of Kennebunk, in the County of York and State of Maine, qualified by law to vote in Town affairs, to assemble at the time and place and for the purpose within named by posting up on the 11th day of May 2016 one attested copy of the within warrant in the Town Hall Lobby and on the Town's website [www.kennebunkmaine.us], all being public and conspicuous places in the Town of Kennebunk, Maine.

Barbara Duffy, Kennebunk Resident

7.c



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

April 22, 2016

Merton Brown
TOWN OF KENNEBUNK
1 Summer Street
Kennebunk, ME 04043

Dear Mr. Brown:

This letter is to acknowledge receipt of your Town Charter which allows the Town Selectmen to vote to retain the right to harvest alewives in the Town of Kennebunk for the 2016 season. It is understood that the own Selectmen will meet on May 10th and vote to retain the alewife harvest rights and that the Town will keep the alewife fisheries closed for conservation for 2016.

Please remember to submit your 2017 Town Article and updated Alewife Harvesting Plan as they apply to the 2017 fishery, prior to April 20, 2017.

If you have any questions, please contact Michael Brown of this agency at 624-6341.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Keliher', with a long horizontal line extending to the right.

Patrick Keliher
COMMISSIONER

cc Division I Marine Patrol
Michael Brown, DMR
James Connolly, IFW

9.b.

TOWN OF KENNEBUNK

Policy for Placing Meeting Minutes on Website

In the pursuit of keeping the public informed concerning the conducting of various Town appointed Boards, Commissions and Committees, we, the Board of Selectmen, hereby approve the following policy:

1. All minutes for Town binding committees must be typed or computer generated in Microsoft compatible format.
2. All minutes for Town binding committees must be prepared and submitted to the respective board, commission or committee within a reasonable length of time following the meeting for approval of the board, commission or committee.
3. All minutes for Town binding committees must be filed with the Town Clerk's office in their final, approved form with the necessary signature(s) and date of approval on that final form within two weeks 30 days of being accepted the original meeting date. An additional 30 days may be extended for meetings that are exceptionally long or complicated.

All minutes for Town non-binding committees must be filed with the Town Clerk's office in their final form within two weeks 30 days of the date of approval the original meeting date. An additional 30 days may be extended for meetings that are exceptionally long or complicated.

- a. For most boards, commissions, or committees the signature(s) will be that of the secretary of the board, the chairperson or a majority of the board, commission or committee.
4. Upon receipt of the approved minutes, the Town Clerk or designee will scan the document into the computer and place them on the Town of Kennebunk's website. The clerk will then file the signed, original copy in the respective minute binder.
5. The minutes will then be posted on the Town of Kennebunk's website in a PDF file format within five (5) business days of receipt of said minutes.

Minutes posted on the website will remain for a one (1) year period. Minutes are always available in the Town Clerk's office.

Town Clerk, January, 2010
Approved by Selectmen: 2/9/10
Amended: 5 /10/16