

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, NOVEMBER 8, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA**

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidates for Committees:

- Zoning Board of Appeals
Susan Mosher Vacancy: (1) Alt. 2017
- Lower Village Committee
Nina E. Spencer Vacancy: (2) Alt. 2017
- Skate Park Ad-hoc Committee Members
We advertised for (4) Residents and (3) Skaters (any age) to serve on this committee. Note: If an applicant under the age of 18 is appointed to this committee, they should be appointed as a Youth member, consistent with other Town committees.

Applying for:

<u>Name</u>	<u>Resident Member or Skate Member</u>
Marc Barron	Resident Member (former skater)
Chris Puffer	Resident Member
Paul Beaudoin	Resident Member
Karen Beaudoin	Resident Member
Will Hallee (age 14, 9th Grade)	Skate Member (youth)
Christine Burgess	Resident Member
Joseph Peterson	Resident Member
Sharron Eastman	Resident Member
James Trentalange	Resident Member or Skate Member

Note: Applications received after the posting of the agenda will be provided to the Board at the meeting.

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. October 18, 2016 Workshop Meeting
- b. October 25, 2016 Regular Meeting

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

- a. Items as Presented



Tuesday, November 8th

PLEASE TAKE THE TIME TO VOTE!

Voting will take place in the Edward C. Winston Town Hall Auditorium from 8:00 a.m. – 8:00 p.m.

and

**HELP "STUFF THE BUS"
for our local food pantry**



Help us fill the Kennebunk Recreation bus on Election Day, with non-perishable food items to benefit our local food pantry.

Look for the bus in the Town Hall parking lot.

Volunteers will be accepting non-perishable food items as well as monetary donations.

4. **Public Hearing(s)** - none

5. **Public Comments (5-10 minutes)**

6. **Acknowledgements/Announcements (10-15 minutes)**

a. Accept the following Donations:

- Police Department Donation– The Kennebunk Police Department received a \$50.00 donation from Ms. Gail Alling. The Police Department has asked that this donation be credited to their training line item to assist with future training classes.

MOTION: To accept the donation from Ms. Alling (with the donation being credited to the PD's training line item) and send a letter thanking her for her generous donation.

- Fire Department Donations – The Kennebunk Fire Rescue Department received the following donations:
 - Stanley & Barbara Barwise \$50.00 in memory of Ruth Johnson
 - Edward & Nancy Meehan \$50.00 in memory of Betty Nedeau
 - Bruce G. Nedeau \$50.00 in memory of Betty Nedeau

MOTION: To accept the donations from Stanley & Barbara Barwise, Edward & Nancy Meehan and Bruce G. Nedeau and send letters thanking them for their generosity.

b. West Kennebunk Holiday Fair, Saturday, November 5 from 9:00 a.m. to 2:00 p.m. at the West Kennebunk Fire Station and the Dorothy Stevens Community Center: Crafts, Baked Goods, Treasure Table and Light Luncheon. Get a start on your holiday shopping!

c. Veterans' Day Holiday – Friday, Nov. 11

- Town Hall will be closed
- Department of Public Services will be closed
- Transfer Station/Recycling Center *will be open* Friday and Saturday (regular hours: 8AM-3PM)

d. Rabies Clinic – Saturday, November 12 from 10:00 a.m. to noon at the Waterhouse Center. The cost is \$10/animal. Dogs must be on leashes and cats must be in crates. No preregistration required. This event is sponsored by Kennebunk Brownie Scout Troop 2192, Kennebunk Elementary School and Dr. Catherine Sanders of Taylor Brook Animal Hospital (in Auburn).

e. Board of Selectmen Outreach Session – Saturday, November 19 from 8:30 a.m. to 10:30 a.m. This session will be hosted by Selectmen Morin and Cluff and will be held on the 3rd floor of the Town Hall.

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

Sessions are generally held on the 3rd Saturday of each month on the 3rd floor of the Town Hall 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. The next session is December 17th.

f. Thanksgiving Holiday – Thursday & Friday (Nov. 24 & 25)

- Town Hall will be closed both days
- Department of Public Services will be closed both days
- Transfer Station/Recycling Center will be closed both days (and will reopen on Saturday)

→ Changes to Curbside Collection of Trash & Recycling for Thanksgiving Week

- No trash and recycling collection on Thursday, Nov. 24 (Thanksgiving Day)
- Thursday's route will be collected on Friday, Nov. 25
- All other days will remain the same

g. West Kennebunk Community Thanksgiving Dinner – Thursday, Nov. 24, noon to 2:00 p.m.



at the Dorothy Stevens Center, 80 Thompson Road.
FREE and open to everyone!
A traditional Thanksgiving Dinner with all the trimmings!

7. Time Sensitive Business

a. Discuss Boards and Committees (resignations/appointments) (10 minutes)

• **Accept the Following Resignation:**

- Alice White, Committee on Aging (Regular 2019)

MOTION: To accept the resignation of Alice White from the Committee on Aging and send a letter thanking her for her service.

• **Skate Park Ad-hoc Committee will be comprised of:**

- (4) Residents
 - (3) Skaters (any age)
 - (1) Representative from the Recreation Department (Kyle Barrett)
 - (1) Representative from the Police Department (Lt. Eric O'Brien)
 - (1) Staff member (Mat Eddy)
 - (1) Selectman - (Debbie Beal has offered)
- 11 members

Since this is an ad-hoc committee, the term of the committee should be defined as completed when the Town has finalized the plans for a new skate park; therefore, no terms should be assigned to this committee.

If the Board is ready to make appointments to this new committee, the motions could be as follows:

MOTION: To appoint up to 4 resident members, namely, _____, _____, _____, and _____ as the Resident representatives on the Skate Park Ad-hoc Committee (no terms).

MOTION: To appoint up to 3 skate members, namely _____, _____, and _____ as the Skate representatives on the Skate Park Ad-hoc Committee (no terms).

Does the Board also wish to appoint the Selectman and staff representatives at this time?

- Kyle Barrett - Representative from the Recreation Department
- Lt. Eric O'Brien - Representative from the Police Department
- Mat Eddy - Staff member
- Selectman Liaison - (Debbie Beal has offered)

MOTION: To appoint Kyle Barrett as the Recreation Department representative, Lt. Eric O'Brien as the Police Department representative, Mat Eddy as the Staff representative, and _____ as the Selectman Liaison on the Skate Park Ad-hoc Committee (no terms).

- b. Discuss the Restructuring of the Economic Development Committee (10-15 minutes) – At the September 13th and October 11th meetings, the Board discussed the restructuring of the Economic Development Committee. On October 11th, the Board interviewed two members (3 had applied); however, the Board decided to wait until they heard from the EDC on how they wanted to integrate the 3 village committees into the EDC.

At the EDC's November 3rd meeting, the committee was unable to reach a quorum (they have 11 regular positions, of which only 6 are filled). At the meeting, only 4 members were in attendance; however, all 6 members are needed for a quorum. There are currently no active alternate members on the committee.

Currently, the committee consists of the following members:

- **13 members:**
 - 11 Regular members (5 current vacancies)
 - 2 Alternate members (2 current vacancies)
 - and
 - 4 ex-officio members:
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

Proposed: At the EDC's September 1st meeting, the EDC voted on the following committee structure:

- **11 members**
 - 7 Regular members
 - 4 Alternate members –
Bob Georgitis had previously indicated that 3 of these members would include representatives from the three village committees involved with economic issues in their committee membership:
 - Lower Village Committee
 - Downtown Committee
 - West Kennebunk Village Committee

Economic Development Committee Liaison, Selectmen Cluff, requested this be discussed by the Board.

For this committee to function effectively, either the Board appoints all 5 regular member vacancies or reduces the number of regular members, as the committee had requested.

A solution would be to go with the original request of the EDC for 7 regular members (down from 11). They also requested 4 alternate members (up from 2); however, no other Town committee has more than 2 alternate members. The committee currently has 4 ex-officio members that would remain.

This change would allow for the EDC to reach a quorum and provide time for them to make recommendations on the alternates and inclusion of other village committee members.

MOTION: To reduce the EDC membership from 11 regular members to 7 regular members (the 2 alternate members and ex-officio members would remain).

- c. Discuss the Late Opening of the Town Office on Thursday, November 17th (5 minutes) – On November 17th, an "All Staff Meeting" will be conducted at the Town Hall for all Town staff. This session will be held from 7:30 a.m. to 9:00 a.m. and will allow for Town Manager Barry Tibbetts, and incoming Town Manager Michael Pardue, to share information related to the Town Manager

transition process. Time will also be spent discussing the ongoing strategic plan initiative and the upcoming budget process. Staff will also participate in an exercise designed to aid them on ways to increase the positive moments in their professional and personal environments.

MOTION: To allow the Town Office to open late (at 9:15 a.m.) on Thursday, November 17th to allow for staff training.

d. Discuss Road Closures for the Holiday Tree Lightings (5-10 minutes) – The Police Department is requesting the following road closures for the upcoming holiday season (these are consistent with prior years):

- Closure for Downtown Tree Lighting on November 26th - Starting at 4:30 p.m., Main Street will be closed from the intersection of Water and Storer Streets to the intersection of Fletcher and Dane Streets. Main Street is scheduled to reopen at 6:00 p.m. but may be closed for a while longer depending upon the pedestrian traffic.
- Closure for the Dock Square Tree Lighting (during Prelude) on December 2nd - Western Avenue will be closed from Cooper's Corner to the Mat Lanigan bridge starting at 5:00 p.m. through approximately 6:30 p.m.
- Closure for the Dock Square Tree Lighting (during Prelude) on December 9th - Western Avenue will be closed from Cooper's Corner to the Mat Lanigan bridge starting at 5:00 p.m. through approximately 7:00 p.m. Note: after the tree lighting there will also be a fireworks display in Kennebunkport.

MOTION: To close the roads as described above for the Downtown Tree Lighting and Dock Square Tree Lightings.

8. Old Business (2nd Reading)

a. Presentation of Division/Department Overviews (30-35 minutes) – Division Directors will be presenting a 5-minute overview of significant accomplishments within their departments and identifying select goals and objectives they will be striving to attain in the coming months.

Overviews Scheduled for the November 8th Meeting

- Mathew Eddy – Economic Development
- Jill LeMay – Kennebunk Free Library
- Jeff Rowe – Fire/EMS
- Robert Mackenzie – Police
- Chris Osterrieder – Community Development (Planning, Codes, Community Dev.)
- Joel Downs – Finance Office (Finance, Tax Collection, Assessing, IT Dept., GA)

The following Overviews were presented at the last meeting

- *Eric Labelle – Public Services (Public Works, Parks)*
- *Merton Brown – Town Clerk/Elections*
- *Tasha Pinkham – Recreation*
- *Michael Pardue – Human Resources*

No motion is necessary.

- b. Discuss the Proposed Park Use Ordinance (5-10 minutes) – The draft Park Use Ordinance has been reviewed by staff and the Town Attorney to identify the parks, define drone usage and place the setting of fees by the Board of Selectmen. The changes made (since the last meeting) are shown in red. This ordinance summarizes the park usage for the public and will assist staff with enforcement.

MOTION: To move to a second reading on November 22nd.

9. New Business (1st Reading)

- a. Discuss the Status of 23 Paper Streets in Kennebunk (10-15 minutes) – In 1997, the Board of Selectmen extended the time to vacate 23 paper streets for a period of 20 years. The original notice and exhibit are enclosed in the packet. Since the 20 year timeframe is due to expire in September, 2017, these streets need to be addressed for either a vacation or another extension. After staff review of the listed paper streets, we are recommending keeping seven of the paper streets and vacating the remainder. Also included in the packet is a map and a summary listing of all locations. Once the Board has agreed on the listing, we can confer with the Town Attorney on the procedure to release/retain the streets.

MOTION: To move to a second reading on November 22nd.

- b. Discuss a Possible Beach Parking Study (10-15 minutes) – At the last meeting, Selectman Baldwin brought forth the request to review the parking issues at the three beaches (Gooch's, Middle, and Kennebunk, a/k/a/ Mother's Beach). The concerns have been brought forward from several residents.

One option for the Board's consideration is to utilize an outside vendor to analyze the areas at the beaches, to include: signage, parking time limit, designated parking spots, yellow lines for street corners, one-way traffic for seasonal usage, enforcement, etc.

The Town could draft an RFP to accomplish this task and funding could be taken from the TIF for this project.

MOTION: To move to a second reading on November 22nd.

- c. Discuss Updating the Board of Selectmen By-Laws and Policies (10-15 minutes) – Enclosed in the packet are the current By-laws and Policies of the Board of Selectmen. Public participation is mentioned in a few sections and is highlighted, along with a few minor gender language adjustments and punctuation. This topic was brought up at past Board meetings under public comments and at the Selectmen's Outreach Sessions.

MOTION: To move to a second reading on November 22nd.

- d. Discuss TIF Priorities (10-15 minutes) – At the September 6th TIF Workshop, the Board asked the Economic Development Committee and staff to identify the top priorities from the listing of possible Town projects. These three items were identified:

1. Lower Village Master Plan Concept and Design
2. MS4 Stormwater Management
3. GIS Asset Management Layer Information

The brief summaries of these concepts are included in the packet. Each will provide critical information to the long-term planning needs for the Town. Funding would be obtained from the TIF

and the RFP process would clarify the costs. This information would be brought back to the Board for future review/award.

No action necessary.

- e. Discuss a Donation for the Waterhouse Center Operations (5-10 minutes) – At the August 9th meeting under Selectmen's comments, a few questions were raised concerning the Waterhouse Center. Those questions are answered in the memo enclosed in the packet. Since that meeting, the Selectmen's Finance Subcommittee has reviewed the information.

After hearing the discussion relating to these expenses, Brad Paige, CEO of Kennebunk Savings Bank, met with the bank's Board of Directors to discuss how they could help. They very generously agreed to commit to a \$7,500 per year donation for the next three years. This contribution would cover the operational (fixed) non-winter costs (electricity, water, sewer, cleaning bathrooms, simple maintenance, etc.). which are estimated at \$7,500 per year.

As indicated in the memo, without additional banner sales or a budgetary contribution, the Town's responsibility would not be met. The Town is responsible for the building, maintenance and non-ice operations.

We'd like to recognize this generous contribution with a thank you banner to be hung at the Waterhouse Center. This would be similar to the recreation banner currently hanging under one of the two projection screens at the Center.

MOTION: To accept the donation from Kennebunk Savings Bank for the Waterhouse Center and send a letter thanking them for this very generous donation.

- f. 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. Upcoming Events and Workshops:
 - **Tuesday, November 29** – Board of Selectmen Workshop on the Strategic Survey and the Upcoming 2017-18 Budget will be held at 6:30 p.m. on the third floor of the Town Hall. This workshop is scheduled to be televised.
 - **Selectmen's Meeting for December 27 has been cancelled.** The next regular meeting will be held on January 10, 2017.
- b. Revisions to the Town Committee Process – The Selectmen met with committee members in a workshop session on October 4th to review items pertaining to Town committees (committee membership size, attendance, by-laws, etc.). The Board will decide on a future meeting date to discuss these items.
- c. Traffic Calming Policy – At the September 13th meeting, the Board heard from members of the public about speed bumps. Staff is revisiting the Traffic Calming Policy to refine several aspects of the policy and application. The proposed amendments will be brought back to the Board for a discussion in December.
- d. Pay-As-You-Throw Program Funding Scenarios will be discussed during budget time.

- e. Zamboni Drivers – We may be looking for a few more volunteer drivers to run the zamboni at the Waterhouse Center this winter. Interested parties should contact Jeanne Brooks at 604-1381.

12. Executive Session(s)

- a. Discuss a Personnel Issue with the Town Manager, Finance Director and the Director of Human Resources - Title 1 MRSA Sec. 405(6)(A)

13. Adjournment

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

Town of Kennebunk, Maine (ZBA)



Received: 11/2/16

Committee Volunteer Form (please type or print clearly)

Full Name Susan Mosher

Street Address Portview Lane

Mailing Address (if different from street address) _____

Are you a resident of Kennebunk? Yes No

Do you own a business in Kennebunk? Yes No

Do you work in Kennebunk? Yes No *Self-employed at home
Semi-retired*

Daytime Phone # _____

Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Zoning Board of Appeals
Committee

(Check all that apply):

Regular Membership Status (3-year term) _____

Alternate Membership Status (1-year term) ^{OR} _____
(Alternates vote if Regular member absent)

Youth Membership Status (1-year term) _____

Town Use Only:

Committee: _____

Membership: Regular, Alternate, Youth

Term Ends: _____

Do you currently serve (or served in the past) on any Town committee? Yes No

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

Occupation Compliance Consultant - Attorney

Employer Self

List any civic organizations to which you belong: N/A

Please complete questions on back of this form

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining?
Please note: We encourage applicants to attend at least one meeting and to visit the committee's webpage before applying.

I have not yet attended a meeting but plan to do so. I have visited the website.

2. What special skills, talents, and/or unique quality can you offer the committee?

I have spent ^{most of} my career attending Board and Committee meetings in the investment management business and feel comfortable in that setting - when in private practice I specialized in property matters so I have some expertise there.

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? *Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.*

I am semi-retired, and now have time for this type of commitment.

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

None.

5. Please describe why you would be an ideal candidate for this committee.

My education and background would be an asset to the committee. I have excellent communication skills and always try to think logically to solve issues presented to me.

6. *For the Skate Park Committee only:*

Do you skate? If so, how long have you been skating?

Do you have family members who skate? If so, how many and what are their ages?

SIGNATURE:

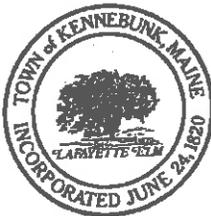
Sharon Masher

By signing, I certify the above statements to be true and correct. If applicant is under 18, a parent or guardian must also sign.

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 for one year.



Lower Village Comm.

Committee Volunteer Form
(please type or print clearly)

Full Name NINA E. SPENCER

Street Address BEACH AVE

Mailing Address (if different from street address) _____

Daytime Phone # _____ Cell Phone # _____

E-Mail Address NINA E SPENCER @ AOL . COM

I wish to be considered for appointment to the: LOWER VILLAGE COMMITTEE
Committee

(Check one or both):

Regular Membership Status (3-year term)

or

Alternate Membership Status (1-year term)

(Alternates vote if Regular member absent)

<u>Town Use Only:</u>
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 SELF EMPLOYED

Employer _____

List any civic organizations to which you belong: CHAMBER OF COMMERCE AND THE KENNEBUNK BUSINESS ASSOCIATION

Please complete questions on back of this form

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

NO QUESTIONS - I HAVE BEEN ATTENDING THEIR MEETINGS SINCE APRIL 2015

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

KENTUCKY CLASSIC CDE - DEVELOPMENT DIRECTOR. FUND RAISING FOR THERAPEUTIC RIDING ASSOCIATION. LIVE OAK INTERNATIONAL Ocala FLORIDA ORGANIZING COMMITTEE. PRESIDENT AND CURRENT

3. Why would you like to be on the committee? DIRECTOR FLORIDA MORGAN ASSOC MEMBER OF TOURISM BOARD MARION COUNTY FL

PI FEEL IT IS IMPORTANT TO BE INVOLVED IN YOUR COMMUNITY

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

YES I AM AWARE OF THE TIME COMMITMENT. ATTENDANCE IS NOT AN ISSUE.

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

N/A

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

HAVE ALWAYS BEEN ACTIVELY INVOLVED IN MY AREA OF RESIDENCE. I DO LOOK FORWARD TO PARTICIPATING IN THE ACTIVITIES OF THIS COMMUNITY

SIGNATURE: Nina E. Spencer

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.

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

Kathy Nolette

From: noreply@civicplus.com
Sent: Tuesday, October 18, 2016 7:29 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Skate Park Comm.
- Resident
- Skater (former)

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name Marc
Last Name Barron
Street Address, Town Balsam Lane, Kennebunk
Mailing Address, Town Balsam Lane, Kennebunk

Are you a resident of Kennebunk? yes

Do you own a business in Kennebunk? yes

Do you work in Kennebunk? yes

Daytime Phone #

Cell Phone #

E-Mail Address

Board/Committee/Commission Skate Park Committee
I wish to be considered for
appointment to:

Step 2

Term and Membership Status Regular Membership Status (3-year term)

Do you currently serve on any
Town Committee? no

If so, please list the committee. Not currently serving

Years of Service Not currently serving

Occupation Builder

Employer Seaside Builders Inc.

List any Civic Organizations to which you belong: None

Step 3

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining? (We encourage applicants to attend a meeting and also to visit the committee's webpage before applying.)

I have attended Board of Selectmen meetings regarding the skate park.

2. What special skills, talents, and/or unique quality can you offer the committee?

I have skated on and off for most of my life. I have lived in Colorado and Oregon where many towns have successful skate parks. I own a construction company where I estimate and manage construction projects.

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.

I will be able to make the time commitment.

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

None.

5. Please describe why you would be an ideal candidate for this committee.

I am passionate about having a skate park in town. I am a pragmatic person who listens to others to achieve goals.

6. For the Skate Park Committee only: Do you skate? If so, how long have you been skating? Do you have family members who skate? If so, how many and what are their ages?

I roll around the existing park keeping in mind that I am not as young as I once was. I started skating when I was in elementary school in the 1980s. I am introducing my 10 year old son and 8 year old daughter to skateboarding. They have been to the existing park a handful of times over the last two years.

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

Kathy Nolette

From: noreply@civicplus.com
Sent: Monday, October 24, 2016 2:18 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

*Skate Park Comm.
-Resident*

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name	Chris
Last Name	Puffer
Street Address, Town	Rosewood Circle
Mailing Address, Town	Kennebunk
Are you a resident of Kennebunk?	yes
Do you own a business in Kennebunk?	no
Do you work in Kennebunk?	yes
Daytime Phone #	
Cell Phone #	<i>Field not completed.</i>
E-Mail Address	
Board/Committee/Commission I wish to be considered for appointment to:	Skate Park Committee

Step 2

Term and Membership Status	Regular Membership Status (3-year term)
Do you currently serve on any Town Committee?	yes, no
If so, please list the committee.	Not currently serving
Years of Service	Not currently serving
Occupation	Sales
Employer	Plixer Internatinal

List any Civic Organizations to which you belong:

Field not completed.

Step 3

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining? (We encourage applicants to attend a meeting and also to visit the committee's webpage before applying.)

No meeting attendance yet. Brand new to the community and looking to get involved. Familiar with the Skatepark and ongoing concerns.

2. What special skills, talents, and/or unique quality can you offer the committee?

Public Health education which focuses on community development. Have coached sports and worked with high schools. Have assisted in new playgrounds and rec field planning/building.

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.

Yes.

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

No.

5. Please describe why you would be an ideal candidate for this committee.

I'm familiar with the process and looking to be part of the Kennebunk community. I live and work in town, and have a young family who will grow up here.

6. For the Skate Park Committee only: Do you skate? If so, how long have you been skating? Do you have family members who skate? If so, how many and what are their ages?

I am familiar with the skate community but looking to join the committee as a resident.

Electronic Signature

Christopher C Puffer

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Town of Kennebunk, Maine

Skate Park Comm.



- Resident
(non-skater)

Received: OCT 31 2016

Committee Volunteer Form (please type or print clearly)

Full Name Paul Beaudoin

Street Address Winter Street Kennebunk, Me.

Mailing Address (if different from street address) SAME AS ABOVE

Are you a resident of Kennebunk? Yes No

Do you own a business in Kennebunk? Yes No

Do you work in Kennebunk? Yes No

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: Skateboard Park Committee
Committee

(Check all that apply):

Regular Membership Status (3-year term)

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

Youth Membership Status (1-year term) _____

Town Use Only:

Committee: _____

Membership: Regular, Alternate, Youth

Term Ends: _____

Do you currently serve (or served in the past) on any Town committee? Yes No

If so, please list the committee(s) and the number of years of service N/A

Occupation Maintenance person

Employer Atria

List any civic organizations to which you belong: N/A

Please complete questions on back of this form

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining?
Please note: We encourage applicants to attend at least one meeting and to visit the committee's webpage before applying.

NO committee exists yet. Have attended every meeting
concerning this topic

2. What special skills, talents, and/or unique quality can you offer the committee?

WAS a supervisor for several years prior to retiring from Portsmouth
Naval Shipyard. I know how to work with people to get a project accomplished.
Know alot about safety

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? *Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.*

Yes

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

NO

5. Please describe why you would be an ideal candidate for this committee.

Have a law enforcement degree - was a police officer in Biddeford
along time ago - Know alot about safety + dealing with people.

6. *For the Skate Park Committee only:*

Do you skate? If so, how long have your been skating?

Do you have family members who skate? If so, how many and what are their ages?

NO - NO Family Member skates

SIGNATURE: _____



By signing, I certify the above statements to be true and correct. If applicant is under 18, a parent or guardian must also sign.

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.

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Town of Kennebunk, Maine

Skate Park Comm.



- Resident
(non-skater)

Received: OCT 31 2016

Committee Volunteer Form

(please type or print clearly)

Full Name Karen Beaudoin

Street Address Winter St. Kennebunk, Me.

Mailing Address (if different from street address) N/A

Are you a resident of Kennebunk? Yes No

Do you own a business in Kennebunk? Yes No

Do you work in Kennebunk? Yes No

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: skateboard Park Committee
Committee

(Check all that apply):

Regular Membership Status (3-year term)

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

Youth Membership Status (1-year term) _____

Town Use Only:

Committee: _____

Membership: Regular, Alternate, Youth

Term Ends: _____

Do you currently serve (or served in the past) on any Town committee? Yes No

If so, please list the committee(s) and the number of years of service N/A

Occupation Training Coordinator

Employer Portsmouth Naval Shipyard

List any civic organizations to which you belong: N/A

Please complete questions on back of this form

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining?
Please note: We encourage applicants to attend at least one meeting and to visit the committee's webpage before applying.

the committee does not exist yet. Have attended most if not all meetings concerning this.

2. What special skills, talents, and/or unique quality can you offer the committee?

I am heavily involved with safety at PNSY - knowledgeable on safety aspects of the park. I am good working with people. I have a good understanding of vision Kennebunk has been working towards and would be a good person to keep this project in line with this vision.

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? *Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.*

Yes

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

No

5. Please describe why you would be an ideal candidate for this committee.

I have lived in Kennebunk over 23 years. I've seen the direction this town is heading and very much like it. I want to assure that this park is built with same outstanding attributes rest of town has.

6. *For the Skate Park Committee only:* (standards)
Do you skate? If so, how long have you been skating?
Do you have family members who skate? If so, how many and what are their ages?

I do not skate - NO ONE in my family skates

SIGNATURE: Ken DeW

By signing, I certify the above statements to be true and correct. If applicant is under 18, a parent or guardian must also sign.

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Kathy Nolette

From: noreply@civicplus.com
Sent: Tuesday, November 01, 2016 8:28 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Skate Park comm.
- Youth/Skater
14yo - 9th grade

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name Will

Last Name Hallee

Street Address, Town (Brown St. area)

Mailing Address, Town Kennebunk, ME 04043

Are you a resident of Kennebunk? yes

Do you own a business in Kennebunk? no

Do you work in Kennebunk? no

Daytime Phone #

Cell Phone #

E-Mail Address

Board/Committee/Commission I wish to be considered for appointment to: Skate Park Committee

Step 2

Term and Membership Status Youth Membership Status (1-year term)

Do you currently serve on any Town Committee? no

If so, please list the committee. Skate Park Committee

Years of Service Not currently serving

Occupation N/A

Employer

Field not completed.

List any Civic Organizations to which you belong:

Field not completed.

Step 3

- | | |
|---|--|
| 1. Have you had an opportunity to attend any meetings of the committee you are interested in joining? (We encourage applicants to attend a meeting and also to visit the committee's webpage before applying.) | No, I will attend on 11/8 |
| 2. What special skills, talents, and/or unique quality can you offer the committee? | Insight from a skateboarder's perspective on why we should have a new skate park in the community. |
| 3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee. | Yes |
| 4. Do you have any conflict of interest that might involve either direct or indirect financial gain or other gain? | No |
| 5. Please describe why you would be an ideal candidate for this committee. | Because I am a local skateboarder and would like to see a safe place for people like me as well as newcomers to skate. |
| 6. For the Skate Park Committee only: Do you skate? If so, how long have you been skating? Do you have family members who skate? If so, how many and what are their ages? | Yes, I have been skating for three years. |
| Electronic Signature (parent/guardian must also sign if under 18) | Will Hallee and
Joan Hallee (mother) |

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Town of Kennebunk, Maine

Skate Park Comm.



Received: 11-2-16

- Resident Member

Committee Volunteer Form (please type or print clearly)

Full Name Christine Burgess

Street Address High St

Mailing Address (if different from street address) Kennebunk, ME

Are you a resident of Kennebunk? [X] Yes ___ No 04043

Do you own a business in Kennebunk? ___ Yes ___ No Biddleford

Do you work in Kennebunk? [X] Yes ___ No

Daytime Phone # Cell Phone #

E-Mail Address

I wish to be considered for appointment to the: Skate Park Committee

(Check all that apply):

Regular Membership Status (3-year term) [X]

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

Youth Membership Status (1-year term)

Town Use Only: Committee: Membership: Regular, Alternate, Youth Term Ends:

Do you currently serve (or served in the past) on any Town committee? ___ Yes [X] No

If so, please list the committee(s) and the number of years of service

Occupation Retired facilitator, adult education facilitator for Girl Scouts of Maine

Employer

List any civic organizations to which you belong: Ferry Beach Park Association Saco ME

Please complete questions on back of this form

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining?
Please note: We encourage applicants to attend at least one meeting and to visit the committee's webpage before applying.

Not yet - Nov 8

2. What special skills, talents, and/or unique quality can you offer the committee?

Knowledge of the transformation of Kennebunk over the last 50 years
I am a native & can facilitate meetings

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? *Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.*

Yes

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

No

5. Please describe why you would be an ideal candidate for this committee.

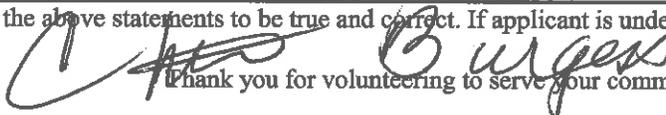
I have a background in child development
I am hopeful that once the community is educated about the diversity in skating and

6. *For the Skate Park Committee only:* its popularity it will enhance the town
Do you skate? If so, how long have you been skating?
Do you have family members who skate? If so, how many and what are their ages?

I do not "skate" I will skate on ice on rivers
Family members who are serious skaters
son Tyler 40 yrs old - stepson Trevor 37 yrs old
grandson Robin 4 yrs old Beryl 1 year old

SIGNATURE:

By signing, I certify the above statements to be true and correct. If applicant is under 18, a parent or guardian must also sign.

 C. Burgess
Thank you for volunteering to serve your community.

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Kathy Nolette

From: noreply@civicplus.com
Sent: Thursday, November 03, 2016 10:04 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Skate Park Comm.
- Resident

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name	Joseph
Last Name	Peterson
Street Address, Town	Penwood Dr., Kennebunk
Mailing Address, Town	Penwood Dr., Kennebunk
Are you a resident of Kennebunk?	yes
Do you own a business in Kennebunk?	no
Do you work in Kennebunk?	no
Daytime Phone #	
Cell Phone #	
E-Mail Address	
Board/Committee/Commission I wish to be considered for appointment to:	Skate Park Committee

Step 2

Term and Membership Status	Alternate Membership Status (1-year term)
Do you currently serve on any Town Committee?	no
If so, please list the committee.	Not currently serving
Years of Service	Not currently serving
Occupation	visual art and design teacher
Employer	Portsmouth School District

List any Civic Organizations to which you belong:

Field not completed.

Step 3

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining? (We encourage applicants to attend a meeting and also to visit the committee's webpage before applying.)

No.

2. What special skills, talents, and/or unique quality can you offer the committee?

Years of experience in design, and working with children.

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.

Yes.

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

No.

5. Please describe why you would be an ideal candidate for this committee.

I have a keen interest in art and design, interest in supporting young members of Kennebunk's community, and children of my own who may benefit from such recreational constructs.

6. For the Skate Park Committee only: Do you skate? If so, how long have you been skating? Do you have family members who skate? If so, how many and what are their ages?

No.

Electronic Signature (parent/guardian must also sign if under 18)

Joseph Peterson

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Email not displaying correctly? [View it in your browser.](#)

Town of Kennebunk, Maine

Skate Park
Comm.
- Resident



Received: 11/3/16

Committee Volunteer Form
(please type or print clearly)

Full Name Sharron Eastman

Street Address Summer St Kennebunk

Mailing Address (if different from street address) same

Are you a resident of Kennebunk? Yes No

Do you own a business in Kennebunk? Yes No

Do you work in Kennebunk? Yes No

Daytime Phone # _____ Cell Phone # _____

E-Mail Address _____

I wish to be considered for appointment to the: skate park
Committee

(Check all that apply):

Regular Membership Status (3-year term) _____

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

Youth Membership Status (1-year term) _____

<u>Town Use Only:</u>
Committee: _____
Membership: Regular, Alternate, Youth
Term Ends: _____

Do you currently serve (or served in the past) on any Town committee? Yes No

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

Occupation Mortgage Broker

Employer Big Horizon Mortgage

List any civic organizations to which you belong: _____

Please complete questions on back of this form

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining?
Please note: We encourage applicants to attend at least one meeting and to visit the committee's webpage before applying.

2. What special skills, talents, and/or unique quality can you offer the committee?

*Smart, excellent problem solver
& care.*

3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? *Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.*

yes likely

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

NO

5. Please describe why you would be an ideal candidate for this committee.

*I don't have kids who want to skate. I am not a skater
impartiality*

6. *For the Skate Park Committee only:*

Do you skate? If so, how long have you been skating?

Do you have family members who skate? If so, how many and what are their ages?

SIGNATURE:



By signing, I certify the above statements to be true and correct. If applicant is under 18, a parent or guardian must also sign.

Thank you for volunteering to serve your community.

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Kathy Nolette

From: noreply@civicplus.com
Sent: Friday, November 04, 2016 2:22 PM
To: Kathy Nolette
Subject: Online Form Submittal: Committee Volunteer Form

Skate Park Comm
- Resident
- Skater

Committee Volunteer Form

Step 1

Town of Kennebunk, Maine

Committee Volunteer Form

First Name	James
Last Name	Trentalange
Street Address, Town	Penwood Drive
Mailing Address, Town	Kennebunk, ME 04043
Are you a resident of Kennebunk?	yes
Do you own a business in Kennebunk?	no
Do you work in Kennebunk?	yes
Daytime Phone #	
Cell Phone #	
E-Mail Address	
Board/Committee/Commission I wish to be considered for appointment to:	Skate Park Committee

Step 2

Term and Membership Status	Regular Membership Status (3-year term)
Do you currently serve on any Town Committee?	no
If so, please list the committee.	Not currently serving
Years of Service	Not currently serving
Occupation	dentist

Employer	self
List any Civic Organizations to which you belong:	York County Dental Associaton

Step 3

1. Have you had an opportunity to attend any meetings of the committee you are interested in joining? (We encourage applicants to attend a meeting and also to visit the committee's webpage before applying.)	Yes
2. What special skills, talents, and/or unique quality can you offer the committee?	I grew up skateboarding, and still do. My son and daughter skateboard.
3. Are you aware of the time involved and would you be able to attend, at the minimum, 75% of all committee meetings? Please note: Failure to attend three regular meetings in a row or 25% of all meetings in a six-month period may result in forfeiture of your position on the committee.	yes
4. Do you have any conflict of interest that might involve either direct or indirect financial gain or other gain?	no
5. Please describe why you would be an ideal candidate for this committee.	I am a taxpayer, have a vested interest in the town's finances and parks. I have been skateboarding since I was 14yo, and understand the dynamics of skateboarding as a sport, and people's perceptions of it.
6. For the Skate Park Committee only: Do you skate? If so, how long have your been skating? Do you have family members who skate? If so, how many and what are their ages?	I have been skateboarding for 36 years. My son, 14, and daughter, 10, both skateboard.
Electronic Signature (parent/guardian must also sign if under 18)	Jim Trentalange

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TOWN OF KENNEBUNK

BOARD OF SELECTMEN WORKSHOP MINUTES

OCTOBER 18, 2016 - 6:30 P.M

1. REGULAR MEETING – 6:30 P.M.

On Tuesday, October 18, 2016, at 6:30 P.M., in Room 301 of the Town Hall, Richard Morin, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Board of Selectmen Workshop on discussing the planning for a new Town Manager. Present were Selectmen L. Blake Baldwin, Richard Morin, Edward Karytko, Daniel Boothby, Christopher Cluff, Shiloh Schulte and Deborah Beal.

Also in attendance was Town Manager Barry Tibbetts.

The Chair proceeded to the next item.

2. DISCUSS PLANNING FOR THE NEW TOWN MANAGER

Morin explained the topics of tonight's meeting which included discussing what a candidate should have, in terms of experience and skills, in order to be the next Town Manager, recruitment strategies, a time frame of the transition process (such as the time with an interim Town Manager before getting a permanent Town Manager), etc.

Lionel Menard was the first person from the public to speak. He acknowledged that he has had both successes and failures with recruitment services. He said that a recruitment service can be very helpful in a search such as the Board of Selectmen's search for a new Town Manager. If they receive a hundred requests, for example, it may be hard for the Board, without the expertise of a recruitment service, to narrow down the number of candidates that they are strongly considering to hire or at least interview with for the position of Town Manager. However, Menard also said that the service (search agency, etc.) should have a consistent process for how they narrow down the number of applicants and their service should not be expensive. He said that it may be hard for Town employees, such as the Human Resources Director, to find the time to do the needed things in the process of hiring a new Town Manager such as background checks. So, having a kind of recruitment service can be quite helpful but can also be expensive.

Gayle Spofford, from the public, agreed with Lionel Menard. She thinks that the Town should hire someone who does searches often. She thinks that a national search for a new Town Manager should be conducted. She also said that the Town (because it is large) requires a Town Manager with a variety of skills. The new Town Manager, according to Spofford, should be able to work closely with the Finance Manager and Kennebunkport and Arundel. She also suggested creating a Background Committee made up of the Human Resources Director, perhaps a Selectman and maybe another member of the administrative team in Kennebunk. She thinks that this Committee can go through the résumés they receive to narrow down the list of candidates to the point that some of the Board members, along with some community members, can sit down with a few of the people who submitted résumés. She noted that the Town will most likely receive many résumés because many want to work in Kennebunk. Therefore, it is a good idea to have someone do some of the preliminary work so that the Board looks at the better candidates among the mix of applicants. Spofford also thinks that the Human Resources Director should work closely with the search firm.

Cluff asked Spofford what specific skill sets they should look for in an applicant.

Spofford responded to Cluff and said that work experience is important but different areas can be covered by other people such as the Human Resources Director. For example, the Town Manager does not need to know all of the laws and regulations but should know how to read them correctly. She said that it is good for applicants to have education. She also said that maybe applicants should even have a graduate degree.

She noted a good “combination” for the background of a Town Manager as being a lawyer with a degree in psychology. Finally, she talked about the importance of hiring a Town Manager with significant experience with finance. This way, the Town Manager can be useful during budget season.

Gerald Haviland, from the public, spoke. He said that he is a taxpaying property owner. He has lived in Kennebunk for about 50 years but also lives in Farmington, Connecticut, a town very similar to Kennebunk. He was significantly involved in Town government in Farmington, Connecticut. He was the mayor of Farmington. He has much experience with hiring Town Managers and reviewing their performances. He has great respect for the Town Manager position in town government. He praised the way that the Board of Selectmen are conducting the search for a new Town Manager. He thinks that they know what they want in a new Town Manager and thinks that they should have a highly qualified search committee made up of members of the Town. He warned about being tricked or fooled by applicants who want to, for example, leverage themselves in the Town that they already work in. He noted the importance of a vetting process, saying that such a process will help avoid phonies like the ones described above and people with bad pasts. He said that the relationship between the people at the beach (in Kennebunk) and Town Hall was shaky and added that the current Town Manager has made them feel welcomed by reaching out to them. They are appreciative of such. Haviland also talked about the enormous growth of Kennebunk but said that growth must be consolidated. He is saddened that he can't vote in Kennebunk but thanked Tibbetts and Baldwin for listening to him and allowing his voice to be heard.

Baldwin asked Haviland if he could provide a story of a bad hire to the position of Town Manager. Haviland responded to Baldwin, saying that one man was chosen to be Town Manager and then he left two days after his appointment to the position because where he was previously increased his salary. Simply put, the man played them.

John Costin, from the public, spoke. He asked if there is a standard method of compensation for the search services companies. Cluff responded to Costin, saying that it all depends on the firm that one works with.

Costin had the following concern about using search agencies: Such agencies have the tendency to seek candidates that want higher salaries than others. Costin thinks that they should determine the new Town Manager's scope of work as well as what the new Town Manager should get for a salary.

Baldwin said that with the Comprehensive Plan underway and the Strategic Plan already undertaken by the Board of Selectmen, it makes sense to have an interim period where they come to conclusions on the two issues before seeking someone to implement them.

Karytko wonders if a search agency will be able to determine if a particular candidate will not make a good fit. In other words, will the phonies be spotted? How do the Selectmen know that they will not be fooled into hiring a phony as a Town Manager if they decide not to use a search agency?

Many responded to Karytko. For example, Baldwin said that they used search agencies during his time as a banker and that such agencies did a good job vetting many applicants. However, he is not sure what they should do. They must know how much they should pay a search firm if they choose to use one. He does not think that they should conduct such searches during very busy times of the year such as during budget season.

Gayle Spofford spoke. She said that the search agency they used to seek a new superintendent relied greatly on professional associations to determine which applicants were sincere and had the skills that they claimed they had. She asked Tibbetts if they would be able to get information if they decided to go with a local search committee.

Tibbetts talked about various benefits of using recruiters in the search for a new Town Manager. Tibbetts suggested having recruiters come in to talk to the Board of Selectmen to explain their services fully because services vary from one recruiter to another. He also warned about all of the work that will be present if they don't use a search agency and added that the time of Town staff is limited. Sometimes, an applicant will be very far in the hiring process, and then it is determined that the applicant is not fit for the position, leading to a lot of time being lost without even hiring a new Town Manager.

David Spofford, from the public, spoke. He thinks that the person chosen as an interim Town Manager must go through this budget season. He hopes that the Town has an Interim Town Manager before February so that Joel Downs, the Finance Director, knows who will be working on the budget. Having an interim Town Manager by February was also important to David Spofford because they should get the current Town Manager's input on the budget too. The budget is the most important thing in the Town, said David Spofford. He thinks that having an interim Town Manager for, perhaps up to a year, makes sense. He believes that the new Town Manager will come from the general vicinity. He said that he is hesitant about letting the new Town Manager be someone who does not know about New England. He said that an outside agency will most likely pick up many people from outside New England. Finally, he added that he believes that many will apply for the title of Kennebunk Town Manager.

Schulte said that David Spofford made great points and added that if they want to use an outside recruiting agency, they can always set specifications on who they consider viable candidates for the position of Town Manager such as salary range, location of applicants, etc.

Susan Karytko, from the public, spoke. Referring to the question of whether or not they want to search for people regionally or nationally, they should keep in mind that there are plenty of previous New Englanders around the world who want to come back to New England. Therefore, someone with knowledge of New England and, more specifically, someone from New England, may be ignored if they limit the search to a regional rather than an international level.

Kelly Wentworth, from the public, spoke. She wants to think about local candidates. She also thinks that the Board of Selectmen should think back to the events of the last few years and decide what type of person they want to seek. She said that proven experience of one who is able to manage people is important. "People skills" should be strong for any candidate applying to be the new Town Manager. She also said that candidates must make good decisions and should show integrity. Interpersonal skills should be strong for anyone wanting to be the new Town Manager as well. Wentworth believes that a candidate for Town Manager should not be considered for at least a year. However, the interim Town Manager, during that minimum of one year time period, will be able to give the Board of Selectmen good insight into how they should move forward in the process. She even wondered if the Town Manager should have to live in Town. She said that someone who makes decisions and/or pushes an agenda for Kennebunk should pay taxes in Kennebunk. This way, according to Wentworth, a Town Manager will make decisions that matter to him/herself. Wentworth thinks that the new Town Manager should be aware of their priorities. She wants to see more checks and balances between the Board of Selectmen and the Town Manager to eliminate the divide that she sometimes currently sees between the Board of Selectmen and the Town Manager.

John Costin agrees with Wentworth and thinks that the interim Town Manager should hold such a position in Kennebunk for at least a year because of the great workload that the Town will have in making the transition to a new Town Manager. He said that staff members will be asked to give their opinions on the direction to go in regarding the process of hiring a new Town Manager and noted that staff members will most likely have harder jobs shortly.

Schulte said that focusing on input from staff members regarding the search for a new Town Manager is a good idea. Also, letting the public offer their opinions on this topic is important.

John Costin said that getting opinions from the public is indeed important.

Town Clerk, Merton Brown, spoke. He said that Kennebunk is the 17th most populated town in Maine (therefore, it is not a small town). Municipal experience is important, to Brown, for applicants to be the new Town Manager to have.

Selectman Karytko asked if there is a big difference between a Town Manager with Maine Municipal experience and a Town Manager with New Hampshire Municipal experience.

Brown responded to Karytko, saying that it may take a while for someone without Maine Municipal experience to come up to speed on various statutes from town to town.

Lionel Menard spoke, saying that Town Manager experience is just as important as interpersonal skills. He said that one essentially needs interpersonal skills when they are a Town Manager. He asked about the process regarding obtaining an interim Town Manager. He also asked if some people just go from town to town, wherever they are needed, as interim Town Managers.

Tibbetts answered Menard's second question by saying that such people do exist.

As to Menard's first question, Morin said that they may choose someone who is already a staff member because an interim Town Manager, to Morin, is there to steer them in the right direction.

Menard said that Morin's explanation of their leaning toward making someone from the current staff, Town Manager, is less wor

some than hiring someone who is not a Town staff member. Gayle Spofford spoke, saying that she agreed with Costin that surveying the Town staff is important. She thinks that the survey should be anonymous yet detailed. Having an interim Town Manager for a year will enable the Town to see if various people are doing things correctly. Some people may be doing work, not even in their job descriptions, for other people.

Gerald Haviland spoke. He said that in the search for a new Town Manager that he was a part of, they relied greatly on an organization that he believes was called ICMA (International City Managers Association). The organization provided them with great resources and helped them understand the process of hiring a new Town Manager. Therefore, if that organization functions the same way as they had during his experience with them, he will gladly commend them to the Board of Selectmen. He thinks that it is a slippery slope to ask the next Town Manager of Kennebunk to live in Kennebunk. Haviland said that Town Managers are supposed make executive decisions not policy decisions. If you are the Town Manager of the town that you live in, your family members may have to listen to various things being said about you and may repeat such to you when you get home.

Selectman Karytko asked how often an interim Town Manager becomes a permanent Town Manager for the same town that they were interim Town Manager for.

Haviland responded to Karytko, saying that he saw such occur once.

Schulte said that he knows different teachers who don't want to live in the town that they teach in because of the reason that Haviland stated (they don't want people to say bad things about them to their family members, etc.).

Schulte asked if the "phony" Town Manager that Haviland referenced earlier was found by a search committee or if he was found via internal review.

Haviland responded to Schulte, saying that the man was found through internal review.

Kelly Wentworth spoke, saying that there are indeed two sides (pros and cons) to the idea of having the next Town Manager live in Kennebunk. She thinks that the Board of Selectmen have to evaluate the staff that they currently have in terms of various skill sets. For example, with a Finance Director present, does the new Town Manager need to have financial expertise?

Cluff said that establishing skills that they want to seek in candidates is very important.

Tibbetts cited a man in Town who is willing to come in to talk to the Board of Selectmen about successful and unsuccessful practices in finding a new Town Manager.

Schulte responded to Tibbetts, saying that having the man come in makes sense.

Lionel Menard said that being the Town Manager is a very demanding job and is most certainly not the typical 9-5 job. The Town Manager must have great communications with others in case they are needed outside of the typical workday. Town Manager's often show up to events, etc. on weekends, for example. Therefore, the Town Manager must be ready to work a lot throughout the week. Such expectations must be told to applicants wanting to be the new Town Manager, according to Menard.

John Costin spoke. He said he believes that there is no possible way to know what they want in a candidate until they sit down and evaluate what they want from the position of Town Manager. He said that the job of the previous Town Manager was very different from what it evolved into for the current Town Manager. He said that he believes that the Town Manager does more than run the day to day operations of the Town.

Morin said that he is not sure how long they will want the next Town Manager to work each week. In other words, the expectations and/or standards for the new Town Manager still have to be worked out.

Schulte said that it is important to make it known that the job of Town Manager is not necessarily a 9-5 job, but that it is equally important to make sure that a Town Manager is not completely wiped out after only a few years with the title of Kennebunk Town Manager.

David Spofford spoke. He said that Kennebunk is one of the most prominent towns in the state of Maine and the new Town Manager should understand this fact. Therefore, someone who is sophisticated should be the new Town Manager. He believes that the new Town Manager must be able to handle the sophistication found among the people of the town of Kennebunk. The politics in Kennebunk, in other words, is different than the politics of a small town in rural Maine. There is much sophistication in Kennebunk that may be absent, or somewhat absent, in other towns in Maine, especially small towns in rural areas of the State.

John Costin said that he never heard of residents being on a possible Search Committee.

Members of the Board of Selectmen said that residents can be on such a committee.

Baldwin said that the Town must move on and continue to do what is usually done even though an important search for a new Town Manager must be conducted simultaneously. He said that leadership, like anything else, must change and come to a conclusion. He quoted a passage in the Bible to prove his point. He said that supporting the staff is very important. He also said that Tibbett's greatest legacy is the team of staff members that he has built. Baldwin said that staff members will go through much pain and confusion.

Lionel Menard thanked everyone for holding this workshop. He said that a survey and more committees for this process is a good idea.

Merton Brown, Town Clerk, said that Gerald Haviland can indeed vote in Kennebunk. Haviland had previously thought that he could not do such.

Selectman Karytko said that what Baldwin said about change in leadership makes a lot of sense. He also said that the new Town Manager should keep in mind that they do not want to go backwards as a Town.

Baldwin said that change can be exciting and that having a new Town Manager is a great time to implement changes.

Morin concluded by saying that after the next meeting they will be able to move further in this process. He also commented on the fact that residents will be able to be more involved in this process.

The Chair proceeded to the next item.

3. ADJOURNMENT

At approximately 7:44 p.m., the workshop for the Board of Selectmen was adjourned.

DRAFT

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: _____

TOWN OF KENNEBUNK

BOARD OF SELECTMEN MINUTES

OCTOBER 25, 2016 - 6:00 P.M.

REGULAR MEETING – 6:00 P.M.

1. Call to Order & The Pledge of Allegiance

On Tuesday, October 25th, 2016, at 6:00 P.M., in Room 301 of the Town Hall, Richard Morin, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Regular Meeting of the Board of Selectmen. Present were Selectmen L. Blake Baldwin, Richard Morin, Edward Karytko, Daniel Boothby, Christopher Cluff and Shiloh Schulte. Deborah Beal arrived shortly after the Board made a motion to go into executive session (Article 2). Also in attendance were Town Manager Barry Tibbetts, Human Resources Director Michael Pardue, and Town Attorney Bill Dale.

2. Executive Sessions

- a. Discuss with the Town Manager, Director of Human Resources, and Town Attorney the Employment Terms and Conditions of the Town Manager where premature public discussion of the same would likely violate his right to privacy – Title 1 MRSA Sec. 405(6)(A)
- b. Discuss with the Town Manager, Director of Human Resources, and Town Attorney the Possible Appointment of an Interim Town Manager and Related Terms and Conditions – Title 1 MRSA Sec. 405(6)(A)

A motion was made to go into executive session to discuss the above items.

MOVED: Cluff

SECONDED: Schulte

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Beal). The motion passed.

The Board left room 301 and began their executive session in room 306. Beal arrived a few moments after the Board entered executive session.

After the executive session, the Board reconvened in room 301 to resume the meeting.

The Chair led everyone in reciting the Pledge of Allegiance.

The Chair explained to the public that the Board had just met in executive session. The following motions were then made:

A motion was made to approve the amended Professional Services Contract for Barry Tibbetts as submitted, subject to a minor amendment by the Town attorney, ending June 30, 2017.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

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

A motion was made to approve the Town Manager Employment Agreement Contract as written for the interim period commencing December 5, 2016 and ending no later than June 30, 2018.

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

A motion was made to appoint Mr. Michael Pardue as the Town Manager for the interim period beginning on December 5, 2016.

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

The Chair noted that copies of the agreements are public documents and can be viewed if one wants to view such.

The Chair proceeded to the next item.

3. Minutes and Items to be Signed

- a. October 11, 2016 Regular Meeting
- b. Any Items as Presented

DISCUSSION:
None.

A motion was made to approve the meeting minutes of October 11, 2016.

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

The Chair stated that there were no items presented to be signed.

The Chair proceeded to the next item.

4. Public Hearings

- a. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to discuss the following:

**Pilothouse Inc. d/b/a Pilothouse Restaurant
Located at Harbor Lane
For a renewal Malt, Spirituous and Vinous Liquor License Application and
Renewal of a Special Amusement Permit**

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

*Fire Department: nothing found in the inspection that would interfere with the renewal of the license.
Police Department: no calls for service that would interfere with the renewal of the license.*

DISCUSSION:

None.

There were no public comments.

A motion was made to approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit Application for Pilothouse Inc. d/b/a Pilothouse Restaurant.

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

The Chair proceeded to the next item.

- b. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to discuss the following:

Merrilee Paul and David Ross d/b/a Owen's Farmhouse
Located at 17 Main Street
For a renewal Malt and Vinous Liquor License Application

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

DISCUSSION:

None.

There were no public comments.

A motion was made to approve the Malt and Vinous Liquor License Application for Merrilee Paul and David Ross d/b/a Owen's Farmhouse.

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

The Chair proceeded to the next item.

- c. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to discuss the following:

Village Tavern d/b/a Village Tavern
Located at 110 Alfred Road
For a renewal Malt, Spirituous and Vinous Liquor License Application

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

DISCUSSION:

None.

There were no public comments.

A motion was made to approve the Malt, Spirituous and Vinous Liquor License Application for Village Tavern d/b/a Village Tavern.

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

The Chair proceeded to the next item.

- d. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the **Proposed amendments to Town of Kennebunk Ordinance 6 6-1 entitled Street Vendors and Peddlers.**

Changes proposed would lower the fee for a food vendor at the Waterhouse Center from \$800.00 to \$500.00, and would allow a vendor to rent up to two spaces. The current ordinance allows for only one space.

DISCUSSION:

Tibbetts said that this issue was reviewed by the Selectmen Subcommittee and recommendations were made. He said the Board has to vote on this matter in order to make changes to this particular part of the Ordinance.

Karytko asked if anyone, who had been thinking about being a vendor at the Waterhouse Center, has said that they will be a vendor at the Waterhouse Center if the fee is dropped from \$800.00 to \$500.00. Merton Brown, Town Clerk, responded to Karytko's question by saying "yes."

There were no public comments.

A motion was made to lower the fee for a food vendor at the Waterhouse Center from \$800.00 to \$500.00 and allow a vendor to rent up to two spaces.

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

The Chair proceeded to the next item.

5. Public Comments

Brenda Robinson spoke about fireworks. She said that unexpected fireworks can affect veterans and people with autism. She said a schedule of fireworks seems reasonable to Robinson. This way, veterans and people with autistic children know when fireworks are going to go off. Perhaps they will use earplugs or go out of town during the time that fireworks are being set off. She said that the press can help them and that her proposal (to announce schedules of when fireworks will be set off) can be looked at as another way of thanking veterans for all that they've done for us.

Janice Hanson spoke next about the question asking if fluoride should be put in drinking water. She handed the Board of Selectmen a packet with recent history of fluoridation. She listed off such

history as well as health and environmental concerns. Hanson said that we only drink about 3% of the fluoridated water while the other 97% of the fluoridated water goes down drains, which goes into lakes, rivers and streams, areas where such water is prohibited by the EPA due to its toxic nature. Hanson also cited history from August 2005 that linked cancer with water fluoridation as well as other information.

Julie Garish spoke also spoke about the harmful effects of fluoridation. She said that she voted no on fluoride in 1975 when she lived in New York because it is a drug, toxic and because she didn't want a poison to be put into the water system. She said that people have to decide whether the benefits of fluoride in drinking water outweigh the risks of such added fluoride to our health. She said, among other things, that natural fluoride is already in our water. Therefore, why add more?

David Plass spoke about the Kennebunk twirlers. He said that the twirlers were denied their request for gym space for this winter by the district because of the ongoing construction at the school which has caused a shortage in time available at various facilities. Plass said that the district has a ranking system defined within their use of school facilities policy. School activities are ranked number one, ranked second are school related bodies, and ranked third are town agencies (including the Recreation Department). The district, this year, does not believe that the Kennebunk twirlers fit into any of the above mentioned categories. Use of the gym in the winter was given to school sports teams and Recreation Department programs, however. The twirlers are currently working with the district to see if any time in the gym can be given to them. Plass noted that the twirlers are losing hours of needed gym time that will hurt the program. Also, Plass said that the kids, district and community will suffer. Twirling has been in Kennebunk since 1939. Plass stated that people have been a part of the Kennebunk twirlers staff for several years. His wife, Susan, has directed the Kennebunk twirlers for 24 years. He explained how many athletes are supported by the program, no tryouts required or cuts made. He elaborated on the great amount of community service given by the Kennebunk twirlers. Plass said that, since 2005, the Kennebunk High School twirlers have been a school-sponsored club. An annual show is hosted by the Kennebunk twirlers, and all of the funds from such are given to a scholarship fund. He noted various places the twirlers perform at. Plass said that the director and coaches of the Kennebunk twirlers volunteer for the program and athletes pay dues, and fundraisers are held; all money raised is put into the program in order for it to "pay for itself."

Many twirlers spoke about the importance of the program and its (and their) commitment to the community. They were:

- Reyna O'Brien, a Kennebunk twirler since 2014
- Kaila Thomas, a senior at Kennebunk High School and a twirler for 10 years
- Maura Ragnoursson, a twirler since the age of 3
- Jocelyn Rocray, a senior at Kennebunk High School and a twirler since 1st grade
- Alaina Helseltine, part of the program for 8 years

Sue Plass, Kennebunk twirlers coach, spoke. She thanked everyone for listening to them. She listed many things that she and the twirlers are involved with in the town (organizing and participating in all the parades that the Festival Committee, Downtown Committee and West Kennebunk Committee sponsor, working at craft tables, helping with pie eating contests, skating with kids at WinterFest, etc.) She is grateful that she has had the privilege to be on the Festival Committee and to be the director of the Kennebunk twirlers.

Schulte believes that it is great that people came up to speak about the Kennebunk twirlers, adding that so many are too scared to speak at the podium. He also noted that the speakers did a good job

relating why their program is helpful to the town. However, he wondered what they all were asking of the Board of Selectmen.

David Plass responded to Schulte. He said that their intent tonight was to get the Board of Selectmen to recognize the program (the twirlers). Also, he said that though their program may not fit into a certain definition needed to be noticed by a specific policy, the Board should realize how important the twirlers are. He said that they also want to be able to compromise and work together with other programs, such as ones with the Recreation Department.

Tibbetts said that he talked with the school district. They looked at the auditorium downstairs, but that it was booked for other program's activities. However, after the conversation with the school district, he came up with another location. Determinations are being made about whether or not space will be available at the location cited by Tibbetts. Sue Plass will hear word regarding the availability of the suggested location. Tibbetts also, just tonight, thought of another location, but said that he has to call the private business. Also, the school's Policy Committee will hear about this topic. This committee determines how rooms are used by various people due to their ranking system.

Baldwin said that he talked to Sue Plass prior to this meeting. Baldwin believes that the twirlers are annoyed that whenever superintendents change, the policy changes. He added that he thinks the twirlers made a strong case about why they are important in the community. He told them they did a good job.

Karytko agrees that the twirlers have been an integral part of the community. He does not like the fact that things seem to change with a new superintendent. He said that as a Board, and as a town, they need to support the organizations in Kennebunk. He said that they must represent the twirlers entirely throughout this process. He ended by saying if the school does not support them (the Board of Selectmen) then he won't support them (the school).

Beal tried to get confirmation from Tibbetts that they looked at Kennebunk Elementary School, Kennebunk Middle School and Kennebunk High School and it was deemed that there was no room available at any of these locations.

Tibbetts said that, as a town, they did not look at the cited locations because it is out of their control. He also said that they, as a town, have looked at the Town Hall auditorium and a few other sites. He is waiting to hear back from people at these "other sites."

Karytko asked if this is believed to be a short term problem. David Plass said that they believe the issue will go away soon. However, they are looking for a long-term position to be held by the district and town that makes it so the twirlers don't lose needed gym time.

Sue Plass said that she compromises all the time during basketball season and often moves the twirlers into the cafeteria. Therefore, she is annoyed that no one is compromising or sharing space.

On another topic, Merton Brown, Town Clerk, spoke about absentee voting. Brown said that this coming weekend, from 8am to 3pm, the office will be open to allow people to register to vote as well as to allow people to vote by absentee ballot. Then, next week, Monday through Thursday, the office will be open from 7am to 9pm. He assured the Board and the residents of Kennebunk that there is no fraud in Kennebunk in regard to the voting process. He said that there are checks and balances for the voting system and added that accusations of voter fraud in Kennebunk are insulting to the several (he

said 50 and more) election workers who work hard and long hours to make sure that the voting process is accurate, fair and free of fraud.

The Chair proceeded to the next item.

6. Acknowledgements/Announcements

a. Traffic Changes for Halloween (Monday, October 31) are as follows:

- Summer St. will be closed between Park St. and Depot St. from 5:00 P.M. to 9:00 P.M.
- Eastbound traffic will be detoured onto Park St., and westbound traffic will be rerouted down Depot St.
- There will be a police officer at both ends of the detour.
- This temporary road closure will take place to make it safer for trick-or-treaters and motorists alike.
- There will be no parking on Winter St. on either side during the detour.
- There will be parking limited to one side of Park St. from the intersection of Winter St. to Summer St.

DISCUSSION:

Beal said that there was a collection (of candy for the Summer Street homes) at Town Hall last year and she wondered if there was one this year or if they advertised for it.

The Chair proceeded to the next item.

7. Time Sensitive Business

- ### **a. Discuss a Request by the Kennebunk Police Department for Officers to be Cross-Sworn as Deputies with the York County Sheriff's Office – Kennebunk Police requests the Board's approval to have officers cross-sworn as deputies with the York County Sheriff's Office. This is similar to their request for state-wide arrest powers that the Board granted on February 9, 2016, but allows the authority for Kennebunk officers to enforce traffic law throughout the county while operating as part of the regional Impaired Driving Task Force and Underage Drinking Task Force.**

The previously granted state-wide authority only applies to enforcement of criminal laws, not traffic laws. Kennebunk's Police command staff, detectives and the officers assigned to those regional teams would be cross-sworn with York County Sheriff's Office and their commission with the county will run concurrent with their full-time law enforcement employment with the Kennebunk Police Department.

DISCUSSION:

Michael Nugent, Deputy Chief of Police in Kennebunk, offered to answer any questions the Board of Selectmen had and explained what they were requesting.

Karytko asked Nugent whether or not they have to approve this every year if they do so this year. Nugent said that the Board does not have to approve this every year if they chose to do so this year.

Lionel Menard, from the public, asked if the time commitment involved with this program is known. Nugent answered Menard, saying that it has been a while since the Impaired Driving Task Force and Underage Drinking Task Force has been able to operate. However, when it is able to operate, it does not impose anything on their regular scheduling. Therefore, this, if approved by the Board, will not conflict with their regular scheduling.

A motion was made to approve the Kennebunk Police Department's request to have officers cross-sworn as deputies with the York County Sheriff's Office.

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

The Chair proceeded to the next item.

- b. Discuss the Award/Purchase of a Backup Appliance from Quadbridge Inc. – Sole Source Bid –
The IT Department budgeted \$44,000 for a replacement Server/Desktop Backup device. Rich Boucher, IT Director, performed a thorough analysis with the vendor, Quadbridge, Inc. comparing compatible products.

The closest matches, by features, are Barracuda and Unitrends. A summary of the quotes received is shown below.

Barracuda	\$110,106.81
Unitrends	\$34,445.98
DATTO SIRIS 3	\$12,119.66

Rich Boucher recommends Unitrends Backup Appliance (RC823S) for \$34,445.98. This pricing was extended to October 31, 2016 and includes free product installation and 3-day training, which the other two products did not include. Rich will be available at the meeting to answer any questions the Board may have.

DISCUSSION:

Rich Boucher, IT Director, spoke about this agenda item. He said that their old system is running out of space and he thinks it is 8 years old. He said that it is time for something else. Some repairs to the current system have been made, i.e. he replaced the motherboard on the unit with a repaired one. Boucher said that Unitrends is the best system one can get. Getting Unitrends allows Boucher to put backup data on a device of his choice. He said that they currently use Barracuda for firewalls and it is a great product but added that \$110,000.00 is very expensive. The DATTO SIRIS 3 unit does not allow him to offload information. Boucher ended by saying that the original quote for the Unitrends Backup Appliance (RC823S) that they received and budgeted for was \$44,000.00. Boucher was able to negotiate with the same group to reduce the price to the current price, \$34,445.98.

Schulte said that the offsite backup option would be cheaper but seems like it would bypass potential security problems with cloud backups. Boucher agreed with Schulte.

Boucher said that he has gone to many meetings and demos for the product that he seeks to purchase and he loves the product.

Morin asked if they have a budget for this purchase. Tibbetts answered Morin, saying that it was allocated in their budget for last year. Therefore, they have money available for this purchase.

There were no public comments.

A motion was made to purchase the Backup Appliance from Unitrends at a price of \$34,445.98.

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

The Chair proceeded to the next item.

8. Old Business (2nd Reading)

- a. Discuss the Results of the Strategic Planning Survey – In late June, the Board held a workshop with staff to review the survey results and identify the elements for developing a strategic plan. Our consultant, Don Jutton, from Municipal Resources Inc., has compiled that data and the information has been prioritized by the Board and staff. Don will be in attendance to review the results. The "Total Group Rating" is the compilation of Selectmen and Department Manager ratings.

DISCUSSION:

Don Jutton, from Municipal Resources Inc., spoke. The Board of Selectmen were given information on the survey results. A spreadsheet shows the top 5 ratings on various subjects. Responses are from the Board of Selectmen and department managers. There are also consolidated ratings. For example, it is unanimous that roads (in regard to infrastructure priorities) are a number one priority. That is, Selectmen, department managers and, the group as a whole, think that roads are a number one priority in regard to infrastructure priorities. He also noted differences between the Selectmen who participated in the survey and department managers who participated in the survey in terms of what each group deems most important. Jutton asked if the Selectmen want to look more closely at the group ratings or at their own ratings as they move forward in the next part of the process.

Cluff said that he is fine with using the total group rating. He also said that the Selectmen are working with a good team so he sees no need to discount the others. Schulte agrees with Cluff.

Cluff asked Tibbetts if he needs input from anyone on the Board of Selectmen as he goes through this process. Tibbetts responded to Cluff, saying that he is thinking about having staff take the results from the total group rating. It may be good to see how these items may integrate into the existing budget over the upcoming years.

Morin asked if cost estimating can be done in a short period of time. Tibbetts responded to Morin, saying that they can determine a range.

Karytko asked how this will be integrated with the Comprehensive Plan currently being worked on. Tibbetts answered Karytko, saying that they originally were going to have a survey with Selectmen and staff but included the Comprehensive Plan questions in this process and opened such up to the public. He explained further.

Karytko said that the Comprehensive Plan Committee is going to try to get even more information from the public.

There were no public comments.

A motion was made to move this draft forward to have staff develop recommendations for the November 22nd meeting.

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

The Chair proceeded to the next item.

- b. Discuss Setting a Special Town Meeting Date for the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs – To enact this Moratorium (which provides the Planning Board with time to draft an Ordinance), the Town will need to hold a Special Town Meeting. The proposed date for the Special Town Meeting is February 28, 2017. This date will provide for absentee voting.

The information provided in the Selectmen's packet defines the timeline to bring the Moratorium Ordinance to a vote in February, 2017 and subsequent Ordinance to a vote at the Annual Town Meeting in June, 2017.

DISCUSSION:
Schulte got clarification on a few things.

He was told that if this moratorium gets enacted on February 28, 2017, it is retroactive back to October 11, 2016.

There were no public comments.

A motion was made to set the Special Town Meeting date of February 28, 2017 to vote on the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs.

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

The Chair proceeded to the next item.

9. New Business (1st Reading)

- a. Presentation of Division/Department Overviews – Division Directors will be presenting a 5-minute overview of significant accomplishments within their departments and identifying select goals and objectives they will be striving to attain in the coming months.

Overviews Scheduled for the October 25th Meeting

- Eric Labelle – Public Services (Public Works, Parks)
- Mathew Eddy – Economic Development
- Merton Brown – Town Clerk/Elections
- Tasha Pinkham – Recreation
- Michael Pardue – Human Resources

Overviews Scheduled for the November 8th Meeting

- Jill LeMay – Kennebunk Free Library
- Jeff Rowe – Fire/EMS
- Robert Mackenzie – Police
- Chris Osterrieder – Community Development (Planning, Codes, Community Dev.)
- Joel Downs – Finance Office (Finance, Tax Collection, Assessing, IT Dept., GA)

No motion is necessary.

DISCUSSION:

Tibbetts explained that Mathew Eddy went home sick. Therefore, Eddy will give his presentation at the November 8th Board of Selectmen meeting.

Eric Labelle, Director of Public Services, spoke first. He thanked the Board of Selectmen for approving the purchase of the paving machine. He said that the shoulder machine has been great. Their efficiency has improved greatly. He cited roads that have been completed as well as roads that will be improved very soon. Labelle said that they received bids for the crack ceiling. They plan on doing about 40,000 pounds of crack sealing this year. Crosswalks were added onto Summer Street. Moving on, all major equipment approved this year for Recreation and Public Works has been ordered, etc. They are repairing a lot of the plow equipment. Labelle also stated a major goal: to development an inventory of all assets in town. They want to have programs and schedules around redundant work or preventative maintenance work.

Karytko asked about crack sealing. Labelle answered Karytko, saying that they were originally thinking about doing 8,000 pounds of crack sealing (within their budget). He also explained different costs.

Schulte complimented the crew doing paving, etc.

Merton Brown, Town Clerk, spoke next. He said that since late August, the Town Clerk's office has spent much time on the election of November 8th. Since that time, they registered 390 new voters and by mid-day tomorrow, will have issued 2,500 absentee ballots. They also attended a 2-day session on voter tabulation machines and their upgrades and are feeling confident. Such upgrades make reporting easier. Aside from the election, people are still getting licenses such as marriage licenses. He said that they visited 5 health care facilities and allowed 168 people from such places to vote, over a 3 day period. A 26 page voter guide was made for voters. The warrants, sample ballots and the intent/content on all the state ballot questions are in the voter guide. He said that 1,000 voter guides have been given out to people. Brown hopes to meet with all the committees in the fall (and going into the winter) to talk to them about by-laws. New packets for new residents of Kennebunk are still being worked on by Brown. These packets will contain information on various things such as trash bags, etc. Brown and one other in the Clerk's office want to attend association sponsored

training sessions. He said that they have not been able to attend such meetings as much as they should in order to stay up to date with things.

Karytko asked Brown if he thinks they have enough equipment for the election. Brown said that they have 7 machines and he hopes for no lines. There are only 2 ballots.

Schulte appreciates what Brown is doing. He asked if the voter guide is available online. Brown said that the voter guide is indeed available online.

Tasha Pinkam, Director of Recreation, spoke next. She is thankful to her staff. The department, in addition to regular duties, programs and camps that they run, has been helping the Downtown Committee and the Festival Committee. For example, they have helped with SummerFest and HarvestFest. She talked about the Teen Center and community service. They held carwashes and yard sales, for example, earning \$1,160 and donating the money to the Animal Welfare Society. The teen program was evaluated. On September 23rd, her staff went to Kennebunk High School to allow students there to take a survey about the future of the Teen Center. They got 166 surveys back. Rated at the top, in terms of what the students at the high school want, are a few overnight trips throughout the year and vending machines that work. Pinkham said that they took out the broken vending machines. Also, the vending machines now have healthy options available such as popcorn, pretzels, veggie straws and juice waters. They also met on October 20th with middle school students. They will have a Middle School Advisory Board. New programs for the Teen Center were implemented. For example, parents can drop their kids off at the Teen Center for a date night on certain dates. A new program will go into effect this winter. Whenever there is a snow day, parents can drop their kids off at the Teen Center from 9-5 as long as they pre-register to do such. The Teen Center on such days will be fully staffed. Rugby and cricket games are planned. She cited many different activities. For example, last night they had their first Nerf Night. She guessed that they had about 32 kids in the auditorium for the event. They also had many new senior trips such as one to the Boston Aquarium. Listing goals, Pinkham said that they want to develop a plan to become more self-sufficient in all of their programs. They are making an inventory list. Finally, Pinkham said that a Halloween party is planned for Saturday, October 29th at Sea Road School from 1:30 P.M. to 4:30 P.M. The party is free.

Beal said that if full contact rugby is available, they have to make sure that disclaimers are signed, etc. due to how brutal the sport is. Pinkham said that touch rugby will be available, not full contact rugby.

Beal got confirmation from Pinkham that if someone registered in, perhaps October, to have their kid dropped off at the Teen Center on snow days, such a person will be guaranteed that their child can be dropped off on a snow day. Pinkham said that Beal was correct in her thinking. The fee is, she thinks, \$25, and covers 9a-5p with snacks provided.

Lastly, **Michael Pardue, Director of Human Resources**, spoke. He said that the leadership team is very good and that such is due to the culture that has been created here. He wants to make sure that strong team environments are present. He said that there must be good collaboration while they work together to advance the initiatives of the town. He said that they are very successful with such and will continue to be successful with doing such. Candidates for various positions have been vetted very well. People wanting to fill the Fire Captain position have gone through many examinations. Among other things, Pardue spoke about his presentation on preventing sexual harassment, etc. to the Fire Department. He also spoke about accomplished employees, a new Public Services Administrative Assistant, new Computer System Specialist and other staff members. There will be two Fire Captains and a new custodian as well.

The Chair proceeded to the next item.

- b. Discuss a Partial Fireworks Ban – The Selectmen’s Ordinance Subcommittee met to discuss options for a Fireworks Ordinance. The committee, by consensus, agreed that the Town may wish to enact a limited ordinance which allows for the use of fireworks on certain dates. The committee discussed the ability to possess fireworks in Kennebunk and allow for the transport to a location that allows fireworks, adjust the state's dates for fireworks, provide an education program, and install signage.

The subcommittee is asking the full Board whether a limited ordinance should be drafted for further consideration.

DISCUSSION:

Karytko asked if the towns with bans on fireworks have problems. For example, how well enforced are bans on fireworks in other towns?

Schulte said that, at the Subcommittee meeting, they looked at other towns that have ordinances on fireworks. He said that Kennebunk is surrounded by many towns that have some kind of ordinance on fireworks. Therefore, he thinks that problems can arise in Kennebunk. He also said that they looked at allowing fireworks on the fourth of July and perhaps another holiday.

Cluff said that he does not mind if they start to draft an ordinance on fireworks but said that he is hesitant to agree to a ban on fireworks. He is worried about the enforceability of a fireworks ban.

Beal said that the Police Chief stated that if they ban fireworks and people see fireworks in Kennebunk, the town has to pay to get rid of the fireworks. Such could be very expensive. She does not want to create an ordinance due to the fact that they do not enforce laws already on the books such as laws regarding allowable hours to set off fireworks.

Schulte said that the current regulations on fireworks are hard to enforce.

However, Beal said that the law can be made known. For example, they can put up signs at the beaches saying that fireworks are illegal at the beaches in Kennebunk. They also can make it known that fireworks can only be shot off on private property. She also cited that many people complain about fireworks being shot off at the beach.

Schulte said that the problems with fireworks is not mainly found at the beach.

Beal suggested initiating an education campaign before drafting any kind of ordinance on fireworks.

Boothby said that one of the rules that could be established could be, perhaps, no fireworks after 10 P.M. However, Beal said that they already have laws regarding the latest that fireworks can be set off (with time extensions around certain holidays). Therefore, they don’t even enforce state laws on fireworks.

Morin suggested amending the State Ordinance to hold property owners responsible if there is evidence of fireworks being present on their property which were set off beyond allowed hours to do such. He said that this may be a “stretch” but added that there are changes in wording that can be made to the existing laws on fireworks in Maine that can help.

Schulte said that an ordinance will be brought to the public to vote on if they choose to make one. He also said that many people who he has spoken to want to “get rid of fireworks” and many want a full fireworks ban.

Cluff asked the Deputy Police Chief Nugent if the Police Department has an opinion regarding which direction the Board of Selectmen should choose to go in. Nugent said that they don’t want possession of fireworks to be illegal because they don’t have a good way to dispose of fireworks.

Schulte said that Kennebunkport’s Ordinance on fireworks states that fireworks may be seized and turned over to the state of Maine. He asked the Deputy Chief Nugent whether or not police can seize fireworks if fireworks are not allowed to be set off but people can be in possession of them. Nugent responded to Schulte, saying that he believes they can under state law because state law specifies limitations such as an age requirement of 18 years old.

Boothby said that, if they go forward with an ordinance, they should make exceptions for weddings and other special occasions.

There were no public comments.

After the motion below was moved and seconded, Karytko added that he thinks what they are doing is the best direction to go in. However, he noted that because he does not live by the beach, he is not sure how bad the problem is. This is because fireworks seem to go off around the fourth of July and not much more than that where he lives.

A motion was made to allow the Ordinance Subcommittee to begin drafting a limited Fireworks Ordinance around holidays and with a permitting process for special occasions.

MOVED: Cluff
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 6 in favor, 1 opposed (Beal). The motion passed.

The Chair proceeded to the next item.

- c. Discuss Pay-As-You-Throw Program Funding Scenarios – In late spring, the Board asked the Energy Efficiency Committee (EEC) to review various options for funding the PAYT Program.

The EEC has met and made a recommendation, based on scenarios discussed by the Board. They recommend that in 2017, curbside collection be funded partly with bag fees and partly through the budget. They also recommend keeping the bag prices the same for 2017. After one year, they would like to have the program evaluated to determine if the bag prices should be adjusted.

DISCUSSION:

Cluff asked how “far under water” they are this year because they keep failing to act on this. Tibbetts answered Cluff, saying that he can get the numbers on such by the November 8th.

Karytko had a few concerns.

Schulte said that it is inaccurate to say that they are not acting on this. They are “working through it.”

Sharon Staz, from the public, who was representing the Energy Efficiency Committee, spoke. She said that red flags won't arise if they stick to the status quo.

Beal said that cashiers have been, for the most part, positive about reusable bags, etc.

Tibbetts said that numbers can be given to the Board and this discussion should be moved to the budget discussion.

The Chair proceeded to the next item.

- d. Discuss the Selectmen's Meeting Schedule for December – In December, the Board is scheduled to meet on December 13th and 27th. Does the Board still wish to hold their meeting on December 27th, so close to (and between) the holidays? Municipal Offices will be closed on Monday, December 26th for the Christmas holiday and Monday, January 2nd for the New Year's Day holiday.

DISCUSSION:

None.

A motion was made to cancel the December 27, 2016 Board of Selectmen Meeting.

MOVED: Cluff

SECONDED: Schulte

MODIFICATIONS: None

VOTE: 6 in favor, 1 opposed (Karytko). The motion passed.

The Chair proceeded to the next item.

- e. Discuss Board and Commissions (Resignations and Appointments, if any)

There were no resignations or appointments to discuss.

The Chair proceeded to the next item.

- f. Update (if any) on the Transition of the Town Manager

DISCUSSION:

Morin explained that two contracts have been voted on and accepted. Michael Pardue is going to be the Town Manager for an interim period from December 5, 2016 to no later than June 30, 2018.

The Chair proceeded to the next item.

- g. Discuss Any Other Business

There was no other business to be discussed by the Board of Selectmen.

The Chair proceeded to the next item.

10. Selectmen's Comments

a. Subcommittee Reports (if any)

The Board heard from the Ordinance Subcommittee, said Morin.

b. Individual Selectmen Comments

Selectman Baldwin:

- Attended a Selectmen Outreach Session with Schulte last Saturday and 5 people showed up. Nancy and Betsy came from the beach area and made a compelling presentation on parking concerns near the beach. He noted two other people who have expressed concern about parking near the beach. One man (Gerry Haviland) said that he won't come back to Kennebunk in the summer (after doing so for 50 consecutive years) because he is "tired of living in a Municipal parking lot." Therefore, Baldwin thinks that this problem should be looked into. He wants to see this topic on an agenda item for a future Board of Selectmen meeting.
- Baldwin and Schulte spent time with John and Rachel at the Selectmen's Outreach Session.
- Great to be on the Committee on Aging as it is being formed (it is still a very new committee).

Selectman Beal:

- Thanked the Fire Department and Police Department for the event that they held.
- She said that people should tell others to give them only one bag when they make various purchases.

Selectman Boothby:

- Apologized to John Costin for, to use Boothby's word, "blasting" him.
- Hard to encourage people to use re-usable bags because most don't realize that the option of a re-usable bag is present.
- The Dog Committee met and came up with 5 signs (to consolidate onto 1 sign) to put up at the beach. Such signs would state rules such as the fact that fireworks are not allowed on the beach.

Selectman Karytko:

- He is a liaison to the Site Plan Review Board and said that there will be a public hearing on November 3rd for the Garden Street Market Bowling alley. Traffic and noise may be discussed at this public hearing. Such is an intriguing project.
- Site Plan Review Board did a great job moving along a project. The owner of the project is very pleased.
- The Comprehensive Plan and Zoning Ordinance Update Committee will have a meeting tomorrow night. They want to find out how the residents want the town to progress.
- Chief Rowe and everyone else did a great job during Fire Prevention week.
- Congratulated the Kennebunk High School football team for being undefeated so far this season.
- Wished his wife a happy 70th birthday.

Selectman Schulte:

- Said that the Affordable Housing Committee has not met in a while. A resident showed up at Saturday's Selectmen's Outreach Session who wanted to see the committee meet again. Schulte wants to get the committee back together.
- Said that discussions on public comments at Selectmen meetings occurred at Saturday's Selectmen Outreach Session. He believes there is an agenda item on such at a future Board of Selectmen meeting.

Selectman Cluff:

None.

Selectman Morin:

- Apologized to the Board for getting a bit angry earlier in the meeting.

The Chair proceeded to the next item.

11. Town Manager's Comments/Notes

a. Upcoming Events and Workshops:

- Tuesday, November 1 – Board of Selectmen Workshop on Salaries will be held at 6:30 p.m. on the third floor of the Town Hall.
- Tuesday, November 29 – Board of Selectmen Workshop on the Strategic Survey and the Upcoming 2017-18 Budget will be held at 6:30 p.m. on the third floor of the Town Hall.

- b. Skate Park Committee – We are looking for 3 skaters and 4 residents to join this new committee. Interested residents should fill out a Committee Volunteer Form. Forms are available in the Town Manager's Office, Town Hall Lobby, and on our website at www.kennebunkmaine.us/committees. Forms are due no later than Thursday, November 3rd. A short meeting (15 minutes) will take place on Tuesday, November 8th at 6:15 p.m. on the 3rd floor of the Town Hall. **All applicants should attend.**
- c. Park Use Ordinance will be discussed at a future meeting – waiting to review new ruling from FAA. This was scheduled for a second reading at the July 12th meeting.
- d. Revisions to the Town Committee Process – The Selectmen met with committee members in a workshop session on October 4th to review items pertaining to Town committees (committee membership size, attendance, by-laws, etc.). We will be gathering committee suggestions for possible changes, which will then be forwarded to the Selectmen for review.
- e. Traffic Calming Policy – at the September 13th meeting, the Board heard from members of the public about speed bumps. Staff will be revisiting the Traffic Calming Policy to refine several aspects of the policy and application. The proposed amendments will be brought back to the Board for a discussion in November.

DISCUSSION:

Sharon Staz, from the public, wanted clarification on the makeup of the Skate Park Committee. She was wondering if people, included in Cluff's motion on the makeup of the committee, will be present at meetings. She was assured that such people will be at the meetings.

The Chair proceeded to the next item.

12. Adjournment

A motion was made to adjourn the meeting at approximately 9:08 P.M.

MOVED: Cluff

SECONDED: Baldwin

MODIFICATIONS: None

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

Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: _____

DRAFT

7.a.

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Affordable Housing Committee	Jennifer Gordon, Chair	2017	(2) 2019	Meets as Needed
	Brian T. Hutchins	2018	(2) Alt. 2017	
	Elva Kindler	2017		
Board of Assessment Review	Richard B. Smith, Chair	2019		Meets as Needed
	Caroline R. Parker	2017		
	Melvin Uchenick	2018		
Board of Selectmen	Richard A. Morin, Chair	2019		2nd & 4th Tuesday at 6:30 p.m.
	Christopher Cluff, Vice Chair	2017		
	Deborah Beal, Secretary	2017		
	Daniel S. Boothby	2018		
	Edward Karytko	2018		
	Shiloh A. Schulte	2018		
	L. Blake Baldwin	2019		
Budget Board	John Costin, Vice Chair	2019		Meets as Needed
	Larry Dwight	2018		
	Donald C. Burnham	2017		
	William A. Ward, Jr.	2017		
	Thomas Wiggins	2019		
	Thomas Wellman	2018		
	Thomas J. Cahoon	2019		
Selectman Liaison Committee on Aging	Christopher Cluff			
	Bevan Davies, Chair	2019	(1) 2017	2nd Thursday at 4:00 p.m.
	Edward Trainer, Vice Chair	2019	(1) 2018	
	S.Sassy Smallman	2019		
	Alice White NR	2019		
(new committee, name may be changed)	Susan Pettit	2018		
	Christina Bronzetti	2018		
	Donna Curtis-Binette	2017		
	Marti Hess-Pomber	2017		
	Judith Metcalf	2018		
	Karen Winton, GA Rep. (ex-officio)			
	Judy Bernstein, Planner Rep.(ex-officio)			
	Police Dept. Rep.(ex-officio)			
	Alaina LeBlanc Tridente, Chamber Rep.(ex-officio)			
Selectman Liaison	L. Blake Baldwin			
Community Dev. Block Grant (CDBG) Façade Advisory Committee	Angus Macaulay (EDC Rep.)	no terms	see list	Meets as Needed
	Robert Metcalf (Planning Bd. Rep.)			
	Frances Smith (HPC Rep.)			
	Terrence Vaughan (WKVC Rep.)			
	vacant (Downtown Comm. Rep.)			
	vacant (Chamber of Comm. Rep.)			
	3 vacant (Resident Reps.)			
	Town Staff (Ex-Officio)			

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Community Garden Committee	Leslie Lindgren, Chair Leo Hallen, Vice Chair Mary Elizabeth "Liz" Baker Sarah Downs Joseph "Gus" Favreau Barbara Rummier Harry Ruth Steven Doughty Dominic Cacciola Michelle Ruth Rona Klein Sandra P. Tillman (Assoc.)	no terms		4th Wednesday at 5:30 p.m.
Selectman Liaison	Deborah Beal			
Comprehensive Plan and Zoning Ord. Update Committee	Robert Metcalf Chair, Planning Bd Rep. Charlie Galloway, Vice Chair, Community Rep. Mathew Eddy, Economic Dev. Dir. Chris Osterrieder, Comm. Dev. Dir. Judy Bernstein, Town Planner Robert Georgitis, EDC Rep. Nick Branchina, COSPC Rep. Thomas Cahoon, WKVC Rep. Elizabeth Smith, LVC Rep. Maureen Adams Weaver, HPC Rep. Philip K. Parker, Jr., SPRB Rep. Jeffrey Bonney, Community Rep. Daniel Lyons, Community Rep. Joseph E. Bergeon, Youth Rep. Kyle Ryan, Youth Rep. NR	no terms		2nd & 4th Wednesday at 6:00 p.m.
Selectman Liaison	Edward Karytko			
Conservation and Open Space Planning Commission	Ellen R. Wolf, Chair Nicholas Branchina, Vice Chair Jennifer Shack Todd Bridgeo	2018 2019 2017 2019	(1) 2017 (2) Alt. 2017	1st & 3rd Monday at 6:30 p.m.
Selectman Liaison	Deborah Beal			
Dog Advisory Committee	Lisa Kendrick, Chair Susan Stewart Cathy Connors Ellen Fagan Robin Levangie Susan Hennessey Ann Legg Polly Hoffman Linda Miller Cleary Dianne Trachimowicz NR Sgt. Andrew Belisle, Ex-Officio			2nd Wednesday at 6:30 p.m.
Selectman Liaison	Daniel Boothby			
Downtown Committee	Ahmed Ciangiulli, Chair Lisa Emmons, Vice Cynthia Walker, Sec. Haven W. Andrews, Jr. Arlene L. Salvati Lorraine Burr Angus Macaulay Melissa Shatney NR	2018 2017 2018 2017 2019 2019 2018 2017	(1) Alt. 2017	1st Thursday at 8:00 a.m.
Selectman Liaison	L. Blake Baldwin			

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Economic	Robert Georgitis, Chair	2019	(1) 2019	1st Thursday
Development	Heather Harris, Vice Chair	2018	(1) 2018	at 5:00 p.m.
Committee	J. Steve Hrehovcik	2017	(3) 2017	
(Oct.2016-committee is in	Gary Dugas	2019	(2) Alt. 2017	
the process of restructuring	John Daamen	2019		
its membership size - no	Rachel Phipps	2018		
no new members will be	Laura Dolce, Chamber of Commerce Rep. (Ex-officio)			
appointed until the	Norm Labbe, KKWWD Rep. (ex-officio)			
restructuring is complete)	Michael Bolduc, KSD Rep. (ex-officio)			
	Todd Shea, KL&PD Rep. (ex-officio)			
Selectman Liaison	Christopher Cluff			
Energy	Anthony W. Dater, Chair	2017	(2) 2018	2nd Wednesday
Efficiency	Dennis Andersen, Vice Chair	2018	(1) 2019	at 5:30 p.m.
Advisory	David Sluyter, Sec.	2017		
Committee	Scott Negley	2019		
	Michael S. Wentworth	2018		
	Sharon Staz	2018		
	Todd Shea, K'bunk Light & Power Dist., Ex-Officio			
Selectman Liaison	Daniel Boothby			
Fair Hearing	Estelle Wellman	2018	(1) 2019	Meets as Needed
Authority	Brenda Robinson	2017		
Festival	Lynne Abelson, Co-Chair	2019	(2) 2018	2nd Monday
Committee	Nancy L. Galloway, Co-Chair	2017	(1) 2017	at 4:30 p.m.
	Susan Plass	2017	(1) 2019	
	John W. "Jack" Bates	2017	(1) Alt. 2017	
	Mandy Nelson	2018		
	Patricia A. Nicholas	2019		
	Jason Woloszyn	2017		
	Samantha Abelson (Youth Rep.)	2017		
	Tasha Pinkham, Ex-Officio (Recreation Dir.)			
	Linda Johnson, Ex-Officio (Downtown Comm)			
	Jill LeMay, Ex-Officio (Library)			
Selectman Liaison	L. Blake Baldwin			
Historic	Frances Smith, Chair	2017		2nd & 4th Monday
Preservation	Maureen P. Raiter, Vice Chair	2018		at 6:30 p.m.
Commission	Maureen Adams Weaver	2019		
	Patrick Orr	2018		
	Judee Anne Jandreau	2017		
	Barbara Fleshman (Alt.)	2017		
	Paul Bevacqua (Alt.)	2017		
Selectman Liaison	Deborah Beal			

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Kennebunk	Robert Georgitis, Chair (EDC Rep.)			Meets as Needed
Development Corporation	John Sharood, (Resident Rep.)			
	David Moravick, (Finance Rep.)			
	Charlie Galloway (Resident Rep)			
	Richard Morin (Selectmen Rep.)			
(EDC appoints members to this Corporation)	Durward Parkinson,(Prof. Serv. Rep)			
	Thomas Wellman (Business Rep.)			
	(Selectmen Rep.)			
	(EDC Rep.)			
	(Chamber Rep.)			
	(Industry Rep.)			
	Barry A. Tibbetts, Town Mgr.	non-voting		
Kennebunk River Committee	Richard M. Roberts, Jr., Chair	2018	(1) Alt. 2017	3rd Tuesday at 7:00 p.m.
	Jack Jensen	2017		
	Charles Barker	2019		
	Robert Danzilo, NR Joint Member w/ Kport (Regular 2019)			
Harbormaster	Raymond Billings (non-voting member)			
Selectman Liaison	Shiloh Schulte			
Lower Village Committee	Elizabeth Smith, Co-Chair	2019	(2) Alt. 2017	1st Monday at 8:00 a.m. at the Washington Hose Fire Station, LV
	Wendy Ross	2018		
	Gregory Burke	2017		
	Pat Foley	2017		
	Laura Dolce	2018		
	Theresa Willette	2017		
	Miriam Whitehouse	2018		
Selectman Liaison	Richard Morin			
Mathew J. Lanigan Bridge Adv. Comm.	Edward Karytko, Selectman Rep.			
	Jeffrey A. Bonney			
	William Macdonald			
(this is a Department of Transportation Comm.)	Bonnie Clement			
	Dwight Raymond			
Planning Board	Chris MacClinchy, Chair	2018		2nd & 4th Monday at 7:00 p.m.
	Richard B. Smith, Vice Chair	2017		
	Robert B. Metcalf	2019		
	David C. Smith	2017		
	Matthew Randall	2019		
	Janice Vance (Alt.)	2017		
	Fred F. Castle, Jr. (Alt.)	2017		
Selectman Liaison	Richard Morin			
Recreation Committee	Tyler J. Stewart, Chair	2017	(1) Alt. 2017	1st Wednesday at 4:30 p.m.
	Greg Searle	2017		
	Jonathan Whitehouse	2019		
	Eddie St. John	2019		
	Judy Milligan	2018		
	John Hackett (Alt.), Sec.	2017		
	Julia Milligan (Youth Rep.)	2017		
	Olivia Aiken (Youth Rep.)	2017		
Selectman Liaison	Shiloh Schulte			
RSU 21 Committees:				
Cost-Sharing Amend.Comm.	Michael Mosher, RSU Dir. Rep.			RSU 21 sets schedule
Cost-Sharing Amend.Comm.	Richard Smith, At-Large Rep.			
Cost-Sharing Amend.Comm.	Gayle Asmussen Spofford, At-Large Rep.			
High School Bldg. Comm	Douglas Stockbridge			(check www.rsu21.net)
These are RSU 21 committees (RSU 21 asked Selectmen to appoint Reps. to represent Kenn.)				

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCY	MEETING SCHEDULE
Skate Park Committee	Resident Rep.			schedule not set yet
	Resident Rep.			
	Resident Rep.			
	Resident Rep.			
	Skate Rep.			
	Skate Rep.			
	Skate Rep.			
	Rec. Dept. Rep.			
	Police Dept. Rep.			
	Staff Rep. Selectman Liaison			
Shellfish Committee	Philip K. Parker, Jr.	2018	(1) 2019	Meets as Needed (Last Tuesday at 7:00 p.m.)
	John S. White	2017	(1) 2017	
	Jonathan LeBarge	2018	(2) Alt. 2017	
Shellfish Warden	Russell Brown (attends mtgs. but not a member)			
Site Plan Review Board	Gary Dugas, Chair	2017	(1) Alt. 2017	3rd Thursday at 7:00 p.m.
	Jeanne Dunn, Vice Chair	2018		
	Philip K. Parker, Jr.	2018		
	Brenda S. Robinson, Sec.	2017		
	Matthew Fagginger-Auer Kristi Kenney (Alt)	2019 2017		
Selectman Liaison	Edward Karytko			
Treasure Chest Monitoring Comm.	Susan Flynn	no terms	(1) Reg.	Meets as Needed
	Roger W. Ellenberger			
	Helen L. Newton			
	Karen Paro Director of Public Services Transfer Station Rep.			
Tree Committee	Greg Searle, Chair	2017		1st Thursday at 5:00 p.m.
	John Walker	2018		
	Wayne C. Cutting	2018		
	Paul B. Cotton	2017		
	Boyd A. Swenson	2019		
Selectman Liaison	L. Blake Baldwin			
Waterhouse Center Advisory Committee	Barry Tibbetts, Town Manager	(position per Endowment By-Laws)		
	Tasha Pinkham, Recreation Dir.	(position per in Endowment By-Laws)		
	Linda Johnson, Downtown Comm.	(appointed by Board of Selectmen, per Endowment By-Laws)		
	Eddie St. John, Recreation Comm.	(appointed by Board of Selectmen, per Endowment By-Laws)		
	vacant, Resident At-Large	(appointed by Board of Directors, per Endowment By-Laws)		
West Kennebunk Village Committee	Barbara Weeman, Chair	2017	(1) 2017	1st Thursday at 5:00 p.m. at the Stevens Comm. Ctr.
	Brenda L. Spulick, Vice Chair	2019		
	Raymond Ingalls	2019		
	Carol A. Whitten	2017		
	Thomas Cahoon	2018		
	Bobbi Searles	2018		
Selectman Liaison	Edward Karytko			
Zoning Board of Appeals	William Macdonald, Chair	2018	(1) Alt. 2017	3rd Monday at 6:30 p.m.
	Steve Passerman	2017		
	Patricia Kolosowski	2017		
	Douglas Gallagher	2019		
	Leah B. Rachin	2019		
	James Atwood (Alt.)	2017		

TOWN OF KENNEBUNK/COMMITTEE LISTING - AS OF OCTOBER 25, 2016

CHANGES MADE AT THIS MEETING:	
Resigned: S. LeBlanc Malley & B.Yates (Comm. on Aging), S.Cavanaugh (Downtown Comm.), A.Macaulay & W.Macdonald (EDC), B.Clement (LVC)	
Moved Up (Alt. to Reg.):	
Appointed: A.Macaulay & M.Shatney (Downtown Comm.), M.Whitehouse (LVC), F.Castle, Jr.(Pl.Bd.)	
Selectmen Subcommittees:	
Ordinance Review Subcommittee:	Deborah Beal, Daniel Boothby, Shiloh Schulte
Finance Subcommittee:	Chris Cluff, Richard Morin, L. Blake Baldwin
Communications/Dispatch Subcommittee:	Chris Cluff, Richard Morin, L. Blake Baldwin
PAYT, Recycling, Transfer Station Review Subcommittee:	Deborah Beal, Chris Cluff, Edward Karytko
Social Service Agencies Review Subcommittee:	Daniel Boothby, L. Blake Baldwin
TOWN MANAGER'S APPOINTMENTS	
1 YEAR APPOINTMENTS	
	7-1-16 to 6-30-17
Town Manager (effective 12/5/16 to no later than 6/30/18)*	Michael W. Pardue
Assistant Town Manager (effective 12/5/16 to 3/31/17)**	Barry A. Tibbetts
Acting Town Manager	Joel Downs
Finance Director, Deputy Tax Collector, Treasurer	Joel Downs
Town Clerk	Merton T. Brown (elected and appointed thru 6/30/17)
Police Chief	Robert F. MacKenzie
Fire Chief	Jeffrey Rowe
CEP Director	Jeffrey Rowe
Tax Assessor	Daniel Robinson
Human Resources Director	Michael Pardue
Director of Public Services	Eric Labelle
Road Commissioner	Barry Tibbetts
Interim Director of Public Services	Michael Pardue
Recreation Director	Tashia Pinkham
General Assistance Agents	Barry Tibbetts, Joel Downs, Kris Fogg, Karen Winton
Director of Information Services	Richard Boucher
Community Development Director	Christopher Osterrieder
Town Engineer	Christopher Osterrieder
Town Planner	Judith Bernstein
Code Enforcement Officer	Paul A. Demers
Building Inspector	Paul A. Demers
Plumbing Inspector	Paul A. Demers
Alternate Building Inspector	Brian Paul
Alternate Plumbing Inspector	Brian Paul
Alternate Building Inspector	Wayne B. Mathews
Alternate Plumbing Inspector	Wayne B. Mathews
Alternate Building Inspector	Jonathan Reed
Alternate Plumbing Inspector	Jonathan Reed
Electrical Inspector	James H. Nichols
Alternate Electrical Inspector	William Clark
Alternate Electrical Inspector	Marc D. Lamontagne
Harbormaster	Raymond Billings
Shellfish Warden	Russell W. Brown
Town Historian	Stephen Spofford
Tree Warden	Wayne Cutting
Constables	Christopher Russell, Michael Tucci, Daniel Jones
* appointed Town Manager for an interim period from 12/5/16 to no later than 6/30/18	
** appointed Assistant Town Manager from 12/5/16 to 3/31/17 and Consultant from 4/1/17 to 6/30/17	
3 YEAR APPOINTMENTS	
	7-1-16 to 6-30-19
Health Officer	John Brady
Assistant Health Officer	Paul A. Demers

7.d.



Kennebunk Police Department Memorandum



To: Kathy Nolette

From: Sgt A. Belisle

Subject: Main St. Tree Lighting Road Closure

Date: 10/25/2016

The Main Street Christmas tree lighting is scheduled for 11/26/2016, as per the special event application. The road closure for this event is as follows:

Starting at 1630 hours, Main Street will be closed from the intersection of Water/Storer Streets to the intersection of Fletcher/Dane Streets. Main Street is scheduled to reopen at 1800 hours but may be closed for awhile longer depending upon the pedestrian traffic.



**Kennebunk Police Department
Memorandum**



To: Kathy Nolette

From: Sgt. A. Belisle

Subject: Prelude Road Closures

Date: 11/02/2016

Prelude 12/02/2016 : Tree Lighting Dock Square Kennebunkport

Western Ave will be closed from Coopers Corner to the bridge starting at 1700 hours thru approximately 1830 hours.

Prelude 12/09/2016: Tree Lighting Dock Square Kennebunkport

Western Ave. will be closed from Coopers Corner to the bridge starting at 1700 hours thru approximately 1900 hours. (After the tree lighting there will also be a fireworks display.)



Kennebunk Police Department Interoffice Memorandum



To:

From: Sgt. A. Belisle

Subject: Prelude Friday "Day 1"

Date: 12/02/2016 1600-2030

On December 2, 2016, four officers will be assigned to traffic control for Prelude at Cooper's Corner. At approx. 1700 hours the K-Port officer will be asking to shut down Coopers Corner. They will be having their tree lighting ceremony in Dock Square. Stop all traffic from going down Western Ave. into Kennebunkport Dock Square. Use the cruisers to block the intersection by Kings Port. People who are going to work at Federal Jack etc. can be sent by way of Chase Hill Road. An officer needs to be at this location to make sure cars are not trying to get into Dock Square. Everyone else can go into the Port by way of Durrell's Bridge Road. (Note: Keep a check on Chase Hill Road as there are "No Parking Signs" on either side.) Western Ave. should reopen at approx. 1830 hours. From the traffic detail at Coopers Corner, officers will be going to the **Washington Hose Fire Station for the Bon Fire**. There they will do crowd control and help people get across Port Road.

Note: The times for closing and opening Western Ave. are approximate times. Contact should be made with Kennebunkport PD to confirm the times on the night of the detail.



Kennebunk Police Department Interoffice Memorandum



To:

From: Sgt. A. Belisle

Subject: Prelude Day 4 (Friday)

Date: 12/09/2016

On December 9th five officers will be assigned to traffic control for Prelude at Cooper's Corner. At approx. **1700 hours** the K-Port officer will be asking to shut down Coopers Corner. They will be having their (**second**) tree lighting ceremony in Dock Square. Stop all traffic from going down Western Ave. into Kennebunkport Dock Square. Use the cruisers and or barricades to block the intersection by Kings Port Inn. People who are going to work at Federal Jack etc. can be sent by way of Chase Hill Road. (An officer will need to be assigned to Chase Hill Road and Western Ave. to make sure cars coming off Chase Hill are not heading for Dock Square.) Everyone else can go into the Port by way of Durrell's Bridge Road. After the tree lighting there will be a fireworks display taking place in the basin area to the left of the bridge. The fireworks should start at 1830 hours and last approx. 15 minutes. Western Ave. continues to be closed during the fireworks. (Note: If time permits, keep a check on Chase Hill Road as there is "No Parking" on either side.) Western Ave. should reopen at approx. **1900 hours**.

8.b.

TOWN OF KENNEBUNK

PARK USE ORDINANCE

1. PURPOSE

The purpose of this ordinance is to provide open spaces and facilities for educational and recreational purposes to all residents of Kennebunk and those visiting. These Rules and Regulations are intended to assist the Town of Kennebunk in its management of its Properties and Facilities to ensure that all residents of the Town of Kennebunk have safe and equal access to its Properties and Facilities, **which includes:**

- Cannon Park, corner of Main and Fletcher Streets
- Dog Park, 36 Sea Road
- Downtown Plaza, 36 Main Street
- Ethelyn Stuart Marthia Park, 128 Beach Avenue
- Intervale Road River Park with Boat Launch, Intervale Road
- Lafayette Park, 9 Storer Street
- Lloyd G. Nedeau Memorial Park, 1 Clearbrook Crossing
- Lower Village Park, 159 Port Road
- Parsons Field, 19 Park Street
- Rogers Pond with Boat Launch, 49 Water Street
- Rotary Park, corner of Main and Water Streets
- Route 9 Mousam River Boat Landing (Boat Launch), Route 9 (Western Ave.)
- Seagrass Lane Boat Launch, Seagrass Lane
- Skateboard Park, 30 Factory Pasture Lane
- Washington Memorial Park, next to 4 Summer Street
- Waterhouse Center, 51 Main Street
- West Kennebunk Recreation Field, 39 Holland Road
- Wiggins Pond, 20 Wood Pond Lane
- Wonderbrook Park, 16 Plummer Lane

2. AUTHORITY TO MAKE RULES

The Public Services Director or his/her authorized representatives may issue such rules and regulations as are necessary to insure public health and safety in the use and enjoyment of any and all park facilities, which will be referred to as “Parks” in this document, including but not limited to its park lands, beaches, playgrounds, trails, Teen Center, Dorothy Stevens Center, Waterhouse Center, and any other recreational facilities.

3. PARK CLOSING HOURS

The Parks shall be closed from Dusk until Dawn the following morning, except for permitted Special Events, Town sanctioned events, or Recreation Programs. No person or property of any kind shall remain in the Parks after closing time unless written permission of the Public Services Director or his/her designee for later hours. **Exceptions to parking after dusk may be permitted for employee parking of local businesses (Lower Village Park, Waterhouse Center) as well as during snow removal operations (Parsons Field, Waterhouse Center). (Class A)**

4. PERMITS

All events within the Parks will comply with the Town of Kennebunk's Special Events Policy. (Class A)

5. REFUSE AND RECYCLABLES

No person shall deposit or leave any garbage, tree, shrub, or grass trimmings or clippings, refuse or other material of any kind on the Parks or waters. Paper, glass, cans, garbage and other refuse of every kind resulting from picnics or other proper use of the park system shall be deposited in the appropriate receptacles provided for that purpose, and no person shall litter, suffer, or cause the park system to be littered in any way. (Class B)

6. GRAFFITI PROHIBITED

1. It shall be unlawful for any person to write, paint, draw or otherwise mark upon any wall, rock, bridge, building, fence, gate or other structure, tree or other real or personal property, located within the Parks unless otherwise authorized by the Public Services Director or his/**her** designee. (Class C)
2. The Public Services Director or his/her designee may by written permit, allow writing, painting, drawing or other marking upon specified structures or property in the Parks, at specified times and for specified purposes, upon such reasonable terms and conditions as he/she may determine, which conditions shall be evenly and fairly applied. (Class C)

7. TREES AND SHRUBS

1. No person shall cut, break, or in any way injure or deface any tree, shrub, plant, flower, turf, or any of the buildings or other structures and properties, or dig into the soil or into any road, park, parkway or playground within the Parks without written permission of the Public Services Director or his/her designee. (Class B)
2. No person shall cut, quarter or remove any dying, dead or downed trees or shrubs from the Parks property without written permission of the Public Services Director or his/her designee. (Class B)

8. ANIMALS

1. No person shall hunt, trap, catch, wound or kill or treat cruelly, or attempt to hunt, trap, catch or wound or kill any bird or animal in any park. (Class B)
2. No person shall bring a dog or cat within the Parks, unless properly leashed and under **voice** control at all times. It is also unlawful for any dog owner to allow a dog under his/her control to deposit solid waste or dung without immediately removing such waste in a proper container. (Class A)
3. Any animal found within the park system in violation of this section may be apprehended, removed to the animal shelter, public pound or any other place, provided for that purpose and impounded, all at the expense of the owner. (Class C)

9. FIRES

No person shall light or make use of any fire in the park system except at such places as may be established for such purposes and then only under such rules as may be prescribed therefore. Every fire shall be continuously under the care and direction of a competent person from the time

it is kindled until it is completely extinguished. This ordinance does not supersede the Town of Kennebunk's Beach Ordinance 3-5 Public Beaches. (Class A)

10. SMOKING AND ALCOHOL PROHIBITED

It shall be unlawful for any person to smoke within the Parks cigarettes, cigars, pipes or other types of tobacco; it shall also be unlawful to possess or consume alcohol within the Parks. (Class A)

11. CAMPING

No person shall be permitted to camp in Parks without first having obtained an approved Special Events Permit or written permission from the Public Services Director. (Class A)

12. RESTRICTED AREAS

No person shall enter upon any portion of the Parks where persons are prohibited as indicated by sign or notice. No person shall enter or attempt to enter any building or area in the Parks when it is closed to the public or scheduled for a specific group or activity, unless invited by same. (Class A)

13. DISORDERLY CONDUCT

No person within the Parks shall do any act in such unreasonable manner as to alarm or disturb another and to provoke a breach of the peace. (Class B)

14. WEAPONS, MISSILES AND FIREWORKS

No person or organization shall bring, carry, or use in any way knives, ~~firearms~~, or other weapons of any kind, or any fireworks or other explosive substance of any kind into the park system without the written permission from the Public Services Director or his/her designee. No person shall throw, cast, or shoot arrows, stones, or other missiles of any kind within the Parks except at such places and times as designated for such purposes. (Class B)

15. HAWKING, PEDDLING AND SELLING

No person shall hawk, peddle or sell or attempt to hawk, peddle or sell any goods, wares or merchandise of any kind or nature within the Parks without first having obtained written permission of the Public Services Director. This does not supersede Town of Kennebunk Ordinance 6-1. (Class A)

16. SOUND AMPLIFICATION

No person within the Parks shall play or operate any sound amplification device including radios, television sets, public address systems, amplified musical instruments and the like or operate any other energy amplification device in a manner which may reasonably be expected to annoy other persons in the Parks. This does not supersede Town of Kennebunk Ordinance 3-19. (Class A)

17. ADVERTISING

No person shall display any placard or advertisement of any kind in any park, nor shall any person distribute, cast, throw, or place any handbill, pamphlet, circular, advertisement or notice of any kind, nor post, stencil or otherwise affix any notice or bills, advertisements or other papers

upon any structure or thing in the Parks unless otherwise authorized by the Public Services Director or his/her designee. (Class A)

18. MOTORIZED VEHICLES

1. No person shall drive any automobile, truck, motorcycle, or other motorized vehicle within any of the Parks except upon the designated roadways and parking areas provided for driving or parking the same, except Town of Kennebunk employees in the performance of their duties.
2. Speed Restrictions - No person may drive a vehicle upon any roadway of the Parks at a speed which is greater than 15 mph. (Class B)
3. Designated Parking Areas - No person shall park any vehicle in designated parking areas of the Parks beyond the normal closing hour of the park system at Dusk except where an individual is attending a function where written permission has been granted for a later closing hour by the Public Services Director, his/her designee, or specified therein. (Class A)
4. Parking, Standing or Stopping Illegally - No person shall park, stand or otherwise stop a vehicle within any Park, except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer or traffic control device, in any of the following places: (Class A)
 - a. On lawn areas and grounds.
 - b. In front of public or private driveways or loading zones.
 - c. In any position to block another car legally parked.
 - d. At any place where official signs prohibiting parking entirely or prohibiting parking for more than a specified period have been posted by the Parks.
 - e. In any park beyond the normal closing hour of Dusk.
 - f. In any position which obstructs or interferes with the travel of other vehicles on a roadway or the use of any park facility within the Parks.
 - g. Within fifteen (15) feet of a fire hydrant or traffic control signal or sign.
5. Impounding of Vehicles - Any vehicle parked or standing within the park system in violation of any law, ordinance, or rule is hereby declared to be a public nuisance. Such vehicle may be removed and impounded and the owner or person entitled to possession of the vehicle shall pay all charges and expenses arising out of any action taken hereunder. (Class C)

19. DRONES

Drones shall not be allowed for use in Town parks or facilities without authorization from the Public Services Director or his/her designee.

~~19~~ 20. PENALTIES

1. Eviction – Any person violating any of the provisions of this ~~chapter~~ ordinance may be forthwith evicted from the Parks.
- ~~2. Penalties – Any person violating any of the provisions of this chapter shall, upon conviction, pay a fine of not less than \$100.00 nor more than \$1,000.00 to be recovered in a manner and form provided by law.~~
- ~~3. Any person accused of violation of any provision of this chapter may settle the claim against him or her by paying to the Town of Kennebunk the sum as described below:~~

- ~~Class A Fines: Not less than \$100.00 per offense~~
 - ~~Class B Fines: Not less than \$150.00 per offense~~
 - ~~Class C Fines: Not less than \$250.00 per offense~~
4. ~~The penalties set forth above shall be deemed minimum penalties and in appropriate cases the Town of Kennebunk may seek higher penalties not to exceed the maximum amount allowed and provided by law.~~
2. Penalties – Any person who violates this ordinance shall be subject to a fine as set by the Board of Selectmen’s fee schedule, in addition to the cost to the Town to repair or, where necessary, to replace any damaged public property.

20. ISSUANCE OF CITATION

The Town of Kennebunk’s Town Manager shall designate the proper persons or authorities that have the power to issue complaints or citations regarding the enforcement of all ordinances in the preceding chapters.

PROPOSED: 2016-06-14 & 2016-06-28 & 2016-11-08

FAA News



Federal Aviation Administration, Washington, DC 20591

June 21, 2016

SUMMARY OF SMALL UNMANNED AIRCRAFT RULE (PART 107)

Operational Limitations	<ul style="list-style-type: none">• Unmanned aircraft must weigh less than 55 lbs. (25 kg).• Visual line-of-sight (VLOS) only; the unmanned aircraft must remain within VLOS of the remote pilot in command and the person manipulating the flight controls of the small UAS. Alternatively, the unmanned aircraft must remain within VLOS of the visual observer.• At all times the small unmanned aircraft must remain close enough to the remote pilot in command and the person manipulating the flight controls of the small UAS for those people to be capable of seeing the aircraft with vision unaided by any device other than corrective lenses.• Small unmanned aircraft may not operate over any persons not directly participating in the operation, not under a covered structure, and not inside a covered stationary vehicle.• Daylight-only operations, or civil twilight (30 minutes before official sunrise to 30 minutes after official sunset, local time) with appropriate anti-collision lighting.• Must yield right of way to other aircraft.• May use visual observer (VO) but not required.• First-person view camera cannot satisfy "see-and-avoid" requirement but can be used as long as requirement is satisfied in other ways.• Maximum groundspeed of 100 mph (87 knots).• Maximum altitude of 400 feet above ground level (AGL) or, if higher than 400 feet AGL, remain within 400 feet of a structure.• Minimum weather visibility of 3 miles from control station.• Operations in Class B, C, D and E airspace are allowed with the required ATC permission.• Operations in Class G airspace are allowed without ATC permission.• No person may act as a remote pilot in command or VO for more than one unmanned aircraft operation at one time.• No operations from a moving aircraft.• No operations from a moving vehicle unless the operation is over a sparsely populated area.• No careless or reckless operations.• No carriage of hazardous materials.
--------------------------------	--

	<ul style="list-style-type: none"> • Requires preflight inspection by the remote pilot in command. • A person may not operate a small unmanned aircraft if he or she knows or has reason to know of any physical or mental condition that would interfere with the safe operation of a small UAS. • Foreign-registered small unmanned aircraft are allowed to operate under part 107 if they satisfy the requirements of part 375. • External load operations are allowed if the object being carried by the unmanned aircraft is securely attached and does not adversely affect the flight characteristics or controllability of the aircraft. • Transportation of property for compensation or hire allowed provided that- <ul style="list-style-type: none"> ◦ The aircraft, including its attached systems, payload and cargo weigh less than 55 pounds total; ◦ The flight is conducted within visual line of sight and not from a moving vehicle or aircraft; and ◦ The flight occurs wholly within the bounds of a State and does not involve transport between (1) Hawaii and another place in Hawaii through airspace outside Hawaii; (2) the District of Columbia and another place in the District of Columbia; or (3) a territory or possession of the United States and another place in the same territory or possession. • Most of the restrictions discussed above are waivable if the applicant demonstrates that his or her operation can safely be conducted under the terms of a certificate of waiver.
<p>Remote Pilot in Command Certification and Responsibilities</p>	<ul style="list-style-type: none"> • Establishes a remote pilot in command position. • A person operating a small UAS must either hold a remote pilot airman certificate with a small UAS rating or be under the direct supervision of a person who does hold a remote pilot certificate (remote pilot in command). • To qualify for a remote pilot certificate, a person must: <ul style="list-style-type: none"> ◦ Demonstrate aeronautical knowledge by either: <ul style="list-style-type: none"> ▪ Passing an initial aeronautical knowledge test at an FAA-approved knowledge testing center; or ▪ Hold a part 61 pilot certificate other than student pilot, complete a flight review within the previous 24 months, and complete a small UAS online training course provided by the FAA. ◦ Be vetted by the Transportation Security Administration. ◦ Be at least 16 years old. • Part 61 pilot certificate holders may obtain a temporary remote pilot certificate immediately upon submission of their application for a permanent certificate. Other applicants will obtain a temporary remote pilot certificate upon successful completion of TSA security vetting. The FAA anticipates that it will be able to issue a temporary remote pilot certificate within 10 business days after receiving a completed remote pilot certificate application. • Until international standards are developed, foreign-

	<p>certificated UAS pilots will be required to obtain an FAA-issued remote pilot certificate with a small UAS rating.</p> <p>A remote pilot in command must:</p> <ul style="list-style-type: none"> • Make available to the FAA, upon request, the small UAS for inspection or testing, and any associated documents/records required to be kept under the rule. • Report to the FAA within 10 days of any operation that results in at least serious injury, loss of consciousness, or property damage of at least \$500. • Conduct a preflight inspection, to include specific aircraft and control station systems checks, to ensure the small UAS is in a condition for safe operation. • Ensure that the small unmanned aircraft complies with the existing registration requirements specified in § 91.203(a)(2). <p>A remote pilot in command may deviate from the requirements of this rule in response to an in-flight emergency.</p>
Aircraft Requirements	<ul style="list-style-type: none"> • FAA airworthiness certification is not required. However, the remote pilot in command must conduct a preflight check of the small UAS to ensure that it is in a condition for safe operation.
Model Aircraft	<ul style="list-style-type: none"> • Part 107 does not apply to model aircraft that satisfy all of the criteria specified in section 336 of Public Law 112-95. • The rule codifies the FAA's enforcement authority in part 101 by prohibiting model aircraft operators from endangering the safety of the NAS.

9.a

NOTICE BY TOWN OF KENNEBUNK TO EXTEND TIME TO
PREVENT VACATION OF PROPOSED, BUT UNACCEPTED WAYS

TAKE NOTICE, pursuant to 23 M.R.S.A. § 3032(2), the Board of Selectmen of the Town of Kennebunk, acting as the municipal officers of said Town of Kennebunk, in a public meeting duly called, have voted, with a quorum present and voting on September 9, 1997, to extend for a period of twenty (20) years from the date of recording in the York County Registry of Deeds of this written notice, the time for action by the Board of Selectmen under said statute either to accept or allow a deemed vacation of all of the proposed, but unaccepted ways identified on Exhibit A attached hereto; provided, however, nothing herein shall limit the right or authority vested by Maine law in the Board of Selectmen of the Town of Kennebunk to accept or vacate proposed, but unaccepted ways during said time period as otherwise provided by law.

Dated: September 23, 1997

TOWN OF KENNEBUNK
BOARD OF SELECTMEN

By: _____

Jack L. Libby
Its Chairman

STATE OF MAINE
York, ss.

September 23, 1997

Then personally appeared Jack L. Libby, Chairman of the Board of Selectmen of the Town of Kennebunk, and acknowledged the above instrument to be his free act and deed in said capacity.

Before me,

Patricia R. Conway
Notary Public/Attorney at Law
PATRICIA R. CONWAY
Notary Public, Maine

My Commission Expires January 20, 2001
(Print Name)

JENSEN BAIRD GARDNER & HENRY
419 Alfred Street
Biddeford, Maine 04005-3723

EXHIBIT A.

Plan Book	Page	Plan Name
2	8	Plan of Survey of Land at the Sea in Kennebunk for Hartley Lord
3	4	Kennebunkport Seashore Co.
3	29	Ross St./Storer St. Plan
3	30	Storer Homestead Subdivision
6	5	Mousam River Park (West Kennebunk) Section One
6	6	Mousam River Park (West Kennebunk) Section Two
6	27	Mousam River Park (Redivision of Section One)
6	69	Mousam River Park (Plan of Section Three-C)
8	9	Charles Parsons Estate
8	18	Gooches Beach
10	44	Cottage Lots of Robie Wentworth Kennebunk Beach
11	13	Strawberry Point Lots
21	50	P/O Plan of Fred Bunnell
22	79	Arundel Estates
26	15	Emery Acres (Intervale)
27	2	Ocean View Acres
30	6	Lots Belonging to Fred Bunnell
32	21	Land Owned by Robert & Hazel Coyne
38	13	Components, Inc.
40	50	Revised Plan Emery Acres
49	12	Plan of Robert Marier, Jr.
49	47	River - Dale
51	11	Plan of Lots of Arundel Realty, Inc.
83	26	Plan of Land Charles & Julia Crowley

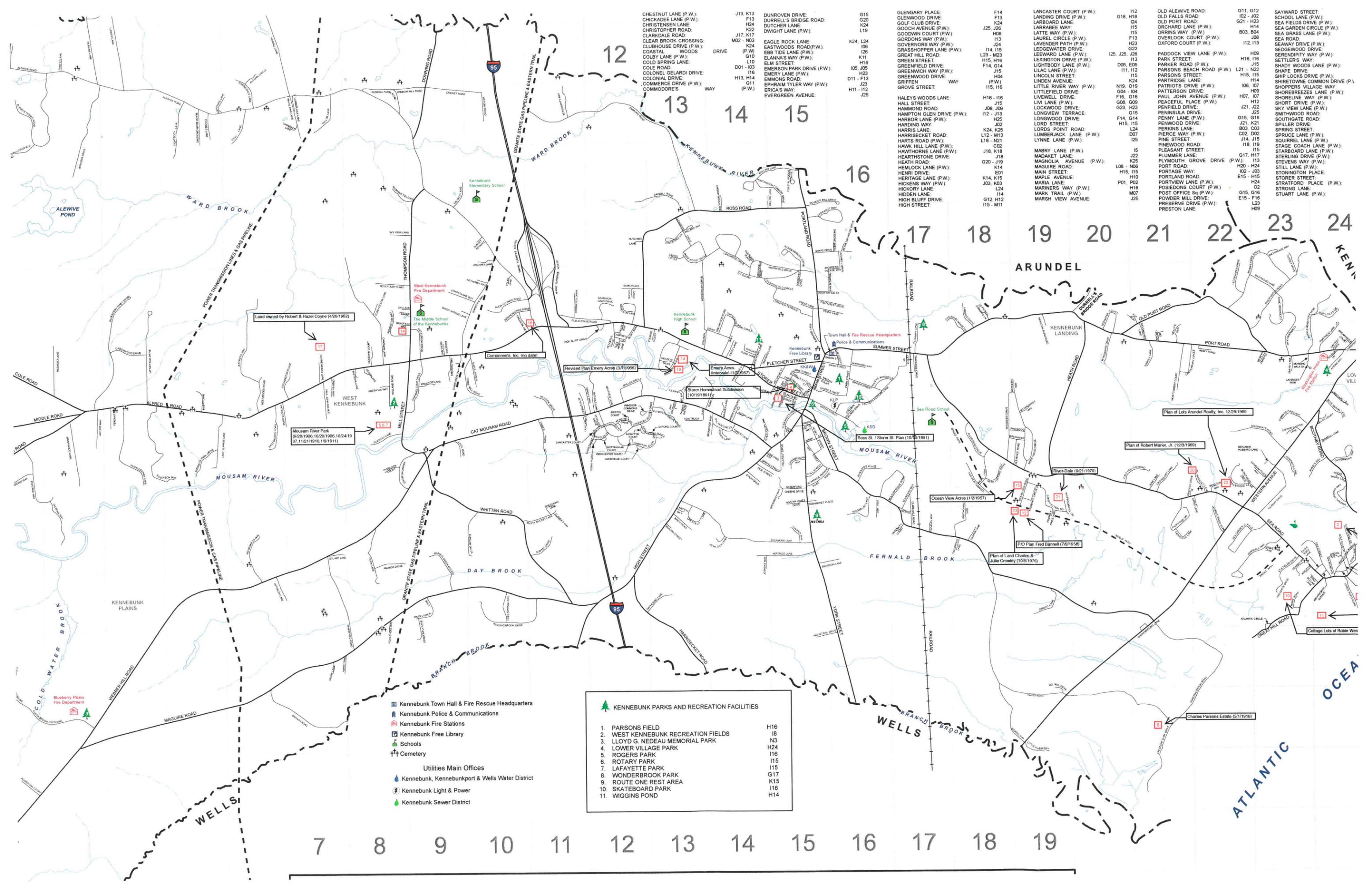
RECEIVED YORK S.S.

1997 SEP 25 A 11:09

 ATTEST: *Luis M. Quea*
 REGISTER OF DEEDS

 → Jensen & Baird
 Biddeford

# on Map	Plan Name	Approx Location	Notes	
1	Plan of Survey of Land at the Sea in Kennebunk for Hartley Lord	Lord's Point		
2	Kennebunkport Seashore CO	Area of Webhanet Golf Course	RELEASE	
3	Ross Street Storer Street Plan	B/W Larabee and Sayward Map 51 Lots 91, 93, 94 and 95	Drainage (Public Works) or Pedestrian ROW (Planning)	EL, CO
4	Storer Homestead Subdivision	B/W Lord and Parsons Streets Map 51 Lots 37, 38, 40 and 41 possibly 43	RELEASE	
5	Mousam River Park Sections one and Two	Off Holland near or on Animal Welfare Society Map 17 Lot 47 and surrounding area	Drainage (Public Works)	EL
6	Mousam River Park Redivision of Section one	Off Holland near or on Animal Welfare Society Map 17 Lot 47 and surrounding area	RELEASE	
7	Mousam River Park Section Three-C	Off Holland near or on Animal Welfare Society Map 17 Lot 47 and surrounding area	RELEASE	
8	Charles Parsons Estate	Parson's Beach Road B Map 66 Lots 26, 27 28 and Road H Map 66 Lot 68	RELEASE	
9	Gooches Beach (Cottage Sites)	Needs Research-- Near Narragansett? OVERLAY FOR EXACT LOCATION	RELEASE	
10	Cottage Lots of Robie Wentworth Kennebunk Beach	Needs Research-- Appears to be between Map 97 Lots 32 and 33 OVERLAY FOR EXACT LOCATION	KEEP	
11	Strawberry Point Lots	Near Stawberry Island	KEEP	
12	P/O Plan of Fred Bunnell	Needs Research--Map 71 Lots 9 and 46 OVERLAY FOR EXACT LOCATION	RELEASE	
13	Arundel Estates	Extension of Lynne Lane and unbuilt Cul-de-sac Map 91 Lots 20,25,29,31,32,33,35,30	Possible Release	DR/MV
14	Emery Acres	Off Meadow Drive-Map 47 Lots 53 and 54 and Map 48 Lot 76--OVERLAY FOR EXACT LOCATION	RELEASE	
15	Ocean view Acres	Old Col Crowley Drive (B/W map 71 Lots 40 and 41 and another B/W Lots 41 and 42) OVERLAY FOR EXACT LOCATION	KEEP-Possible Drainage(Public Works)	EL
16	Lots Belonging to Fred Bunnell	Hard to place--Off Cat Mousam	KEEP-Possible Drainage(Public Works)	EL
17	Land Owned by Robert and Hazel Coyne	End of Coyne McKay Lane--OVERLAY TO SEE LENGTH	RELEASE	
18	Components Inc	Corner of Alfred and Alewife--Independence Park/Alewife Park	Possible Release -Public or Private?	DR/MV
19	Revised Plan of Emery Acres	Cul-de-sac are on intervalle	RELEASE	
20	Plan of Robert Marier Jr	Penfield Drive--Map 72 Lots 61 and 62	KEEP-Possible Drainage(Public Works)	EL
21	River-Dale	Constitution and Florence Circle--OVERLAY FOR EXACT LOCATION	RELEASE	
22	Plans of Lots of Arundel Realty Inc	A different configuration of Apple Lane Map 72 Lots 134 and 137	Look into Acceptance	DR/MV
23	Plan of Charles and Julia Crowely	Between Bridal Path and Mousam River--Map 71 Lot 23 OVERLAY FOR EXACT LOCATION	RELEASE	
			KEEP	



- J13, K13 CHESTNUT LANE (P.W.)
- F13 DURRELL'S BRIDGE ROAD
- H24 CHRISTENSEN LANE
- K22 CHRISTOPHER ROAD
- J17, K17 CLEAR BROOK CROSSING
- MD2 - N03 CLUBHOUSE DRIVE (P.W.)
- (P.W.) COASTAL WOODS
- G10 COLBY LANE (P.W.)
- L10 COLD SPRING LANE
- D01 - I03 COLE ROAD
- H16 COLONEL GELARDI DRIVE
- H13, H14 COLONIAL DRIVE
- G11, H11 COMMERCE DRIVE (P.W.)
- (P.W.) COMMODORE'S WAY
- G15 GLENGARY DRIVE
- G20 GLENWOOD DRIVE
- K24 GOLF CLUB DRIVE
- L19 DUTCHER LANE
- K24, L24 GOODWIN COURT (P.W.)
- I06 GORDONS WAY (P.W.)
- I26 GOVERNORS WAY (P.W.)
- K11 LEGSHOPPER LANE (P.W.)
- H16 GREAT HILL ROAD
- H16 GREEN STREET
- I05 GREENFIELD DRIVE
- H15 GREENWICH WAY (P.W.)
- H04 GREENWOOD DRIVE
- (P.W.) GRIFFEN WAY
- I15, I16 GROVE STREET
- H16 - I16 HALEY'S WOODS LANE
- J15 HALL STREET
- J08, J09 HAMMOND ROAD
- I12, I13 HAMPTON GLEN DRIVE (P.W.)
- H25 HARBOR LANE (P.W.)
- J02 HARDING WAY
- K24, K25 HARRIS LANE
- L12 - M13 HARRISSECKET ROAD
- L16 - N21 HART'S ROAD (P.W.)
- C02 HAWK HILL LANE (P.W.)
- J18, K18 HAWTHORNE DRIVE
- J18 HEARTHSTONE DRIVE
- G20 - J19 HEATH ROAD
- H18 HEMLOCK LANE (P.W.)
- E01 HENRI DRIVE
- K14, K15 HERITAGE LANE (P.W.)
- J03, K03 HICKORY LANE
- L24 HIDDEN LANE
- I14 HIGH BLUFF DRIVE
- G12, H12 HIGH STREET
- I15 - M11

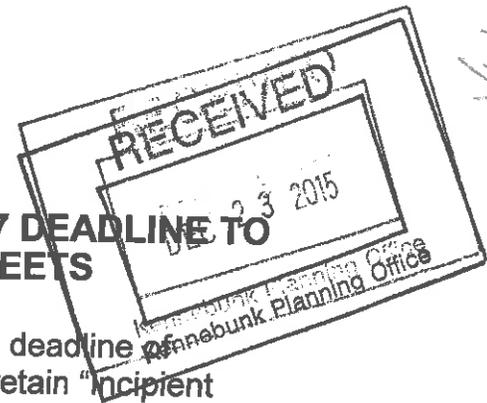
- F14 LANCASTER COURT (P.W.)
- F13 LANDING DRIVE (P.W.)
- K24 LARBORD LANE
- J25, J26 LARRABEE WAY
- H08 LATTE WAY (P.W.)
- I13 LAUREL CIRCLE (P.W.)
- J24 LAVENDER PATH (P.W.)
- I14, I15 LEGSHOPPER LANE (P.W.)
- L23 - M23 LEWARD LANE (P.W.)
- H15, H16 LEWINGTON DRIVE (P.W.)
- F14, G14 LIGHTBODY LANE (P.W.)
- H15 LIAC LANE (P.W.)
- H04 LINCOLN STREET
- (P.W.) LINDEN AVENUE
- H15, I16 LITTLE RIVER WAY (P.W.)
- N19, O19 LIVEWELL DRIVE
- G04 - O04 LIVEWELL DRIVE
- G08, G09 LIVI LANE (P.W.)
- G23, H23 LOCKWOOD DRIVE
- G15 LONGMEAD DRIVE
- F14, G14 LONGWOOD DRIVE
- H15, I15 LORDS POINT ROAD
- L24 LUMBERJACK LANE (P.W.)
- D07 LYNNE LANE (P.W.)
- I25
- I5
- J22 MADAKET LANE
- K25 MAGNOLIA AVENUE (P.W.)
- L08 - N06 MAGUIRE ROAD
- H15, I15 MAIN STREET
- H10 MAPLE AVENUE
- P01, P02 MARIA LANE
- H16 MARINERS WAY (P.W.)
- M07 MARK TRAIL (P.W.)
- G12, H12 MARSH VIEW AVENUE
- J25

- I12 OLD ALEWIVE ROAD
- G18, H18 OLD PORT ROAD
- K24 ORCHARD LANE (P.W.)
- I15 ORRINS WAY (P.W.)
- I15 OVERLOOK COURT (P.W.)
- H23 OXFORD COURT (P.W.)
- G22
- I25, J25, J26 PADDOCK VIEW LANE (P.W.)
- I13 PARK STREET
- D05, E05 PARKER ROAD (P.W.)
- H11, I12 PARSONS BEACH ROAD (P.W.)
- I15 PARSONS STREET
- K24 PARTRIDGE LANE
- N19, O19 PATRIOTS DRIVE (P.W.)
- G04 - O04 PATTERSON DRIVE
- F16, G16 PAUL JOHN AVENUE (P.W.)
- G08, G09 PEACEFUL PLACE (P.W.)
- G23, H23 PENFIELD DRIVE
- G15 PENINSULA DRIVE
- F14, G14 PENNY LANE (P.W.)
- H15, I15 PENWOOD DRIVE
- L24 PERKINS LANE
- D07 PIERCE WAY (P.W.)
- I25 PINE STREET
- I5 PINEWOOD ROAD
- J22 PLEASANT STREET
- K25 PLUMMER LANE
- L08 - N06 PLYMOUTH GROVE DRIVE (P.W.)
- H15, I15 PORT ROAD
- H10 PORTAGE WAY
- H10 PORTLAND ROAD
- P01, P02 PORTVIEW LANE (P.W.)
- H16 POSIEDONS COURT (P.W.)
- M07 POST OFFICE Sq (P.W.)
- G15, G16 POWDER MILL DRIVE
- E15 - F16 PRESERVE DRIVE (P.W.)
- L23 PRESTON LANE
- G11, G12 SCHOOL LANE (P.W.)
- G21 - H23 SEA FIELDS DRIVE (P.W.)
- H14 SEA GARDEN CIRCLE (P.W.)
- B03, B04 SEA GRASS LANE (P.W.)
- J08 SEA ROAD
- I12, I13 SEAWAY DRIVE (P.W.)
- H09 SEDGWOOD DRIVE
- H09 SERENDIPITY WAY (P.W.)
- H16, I16 SETTLER'S WAY
- H15 SHADY WOODS LANE (P.W.)
- L21 - N22 SHAPE DRIVE
- H15, I15 SHIP LOCKS DRIVE (P.W.)
- H14 SHIRETOWNE COMMON DRIVE (P.W.)
- I06, I07 SHOPPERS VILLAGE WAY
- H09 SHOREZEEZ LANE (P.W.)
- H07, I07 SHORELINE WAY (P.W.)
- H12 SHORT DRIVE (P.W.)
- J21, J22 SKY VIEW LANE (P.W.)
- H09 SMITHWOOD ROAD
- G15, G16 SOUTHWATE ROAD
- J21, K21 SPILLER DRIVE
- B03, C03 SPRING STREET
- D07 SQUIRREL LANE (P.W.)
- J14, J15 STAGE COACH LANE (P.W.)
- I18, I19 STARBOARD LANE (P.W.)
- H15 STARBOARD LANE (P.W.)
- H17 STERLING DRIVE (P.W.)
- I13 STEVENS WAY (P.W.)
- H20 - H24 STILL LANE (P.W.)
- I02 - J03 STONINGTON PLACE
- E15 - H24 STORER STREET
- H24 STRATFORD PLACE (P.W.)
- O2 STRONG LANE
- G15, G16 STUART LANE (P.W.)
- L23
- H09

- Kennebunk Town Hall & Fire Rescue Headquarters
- Kennebunk Police & Communications
- Kennebunk Fire Stations
- Kennebunk Free Library
- Schools
- Cemetery
- Utilities Main Offices
- Kennebunk, Kennebunkport & Wells Water District
- Kennebunk Light & Power
- Kennebunk Sewer District

- KENNEBUNK PARKS AND RECREATION FACILITIES**
- | | |
|-------------------------------------|-----|
| 1. PARSONS FIELD | H16 |
| 2. WEST KENNEBUNK RECREATION FIELDS | I8 |
| 3. LLOYD G. NEDEAU MEMORIAL PARK | N3 |
| 4. LOWER VILLAGE PARK | H24 |
| 5. ROGERS PARK | I16 |
| 6. ROTARY PARK | I15 |
| 7. LAFAYETTE PARK | I15 |
| 8. WONDERBROOK PARK | G17 |
| 9. ROUTE ONE REST AREA | K15 |
| 10. SKATEBOARD PARK | I16 |
| 11. WIGGINS POND | H14 |

7 8 9 10 11 12 13 14 15 16 17 18 19



**CLIENT ADVISORY: REMINDER REGARDING 2017 DEADLINE TO
TAKE CERTAIN ACTION REGARDING PAPER STREETS**

This is a reminder that the Maine Legislature has set a deadline of **September 29, 2017** for municipalities to decide whether to retain "incipient dedication" rights in so-called "paper streets."

What Are Paper Streets?

"Paper streets" are those streets or ways that are shown on approved and recorded subdivision plans but that were never built or accepted by the municipality as public ways.

Background

In 1987, the Legislature passed the Paper Streets Act, which provided that any paper street shown on a plan recorded prior to September 29, 1987 was automatically vacated unless the street was constructed, used or accepted as a public way within ten years (*i.e.*, by September 29, 1997), or within 15 years after the subdivision plan was recorded, whichever date was later. See 23 M.R.S.A. § 3032(1-A). In 1997, the Legislature amended the law to provide municipalities with the opportunity to file for a 20-year extension of time to preserve their rights to the "incipient dedications" in the paper streets. See 23 M.R.S.A. § 3032(2). Therefore, on September 29, 2017, the first 20-year extension period will expire, but municipalities may file for another 20-year extension.

What Does a Municipality Need to Do?

In order to obtain the extension, the municipal officers (town/city council or board of selectmen) must take a vote and then record a notice in the registry of deeds, as was done in 1997.

What Are a Municipality's Options?

Ultimately, with regard to the paper streets that are still "on the books" after the extension filed in 1997 (in other words, this only applies to paper streets for which you filed the first extension in 1997), there are three potential courses of action for the municipality to take:

First, the municipality may elect to take no action—that is, file no extension in the registry of deeds. In that case, the incipient dedications for all remaining paper

streets will expire, meaning that the municipality will no longer have the ability to accept them as public ways because they will be “deemed vacated.” Pursuant to law, the rights in the vacated paper streets would pass to the abutting property owners to the center-line of the streets.

Second, the municipality may do a “blanket extension” of the municipality’s rights in all paper streets that were retained in 1997. This would be accomplished by recording a notice in the registry of deeds with a **specific** list of paper streets, following a vote of the municipal officers.

Third, the municipality could take a more targeted approach and create a list of the streets for which it wishes to retain incipient dedications, a list of those to formally accept (if any), and a “no action” list of those paper streets that will be allowed to be vacated by operation of law. For example, the municipality may determine that there are current or future uses for some paper streets that would be beneficial—either as roads, easements or maybe parts of recreational trail systems—and therefore may decide to extend the deadline another 20 years. On the other hand, the municipality may find that there are reasons to vacate other paper streets—if it would be impossible to build them to the municipality’s standards, if they are located on difficult terrain such as wetlands, or for other reasons.

Next Steps

If you have not done so already, you should begin the process of looking at which paper streets the municipality wants to save for another 20 years, which ones the municipality wants to accept, and which ones the municipality wants to vacate. Depending on the number of paper streets you have, this could be a very time-consuming process, and because there is now less than two years before the deadline expires, you should begin the process now. You may even consider appointing a special citizen study committee to consider the issue. Such a committee would be responsible for reviewing the list of paper streets and coming up with a list of those that are recommended to be retained by the municipality and those that are no longer needed. The committee may also decide to engage in a public process to hear input from property owners who are impacted by the paper streets.

We recognize that September 29, 2017 may seem like a long way off at this time, but (1) you probably ought to place the date as a reminder on your calendar and (2) if your municipality may want to appoint a special committee, then run this through the planning board and then again through the municipal officers, it is not too soon to start that process now. Regardless of the course of action that the municipality ultimately takes, however, this issue requires some attention in the near future.

For more information, please call your Jensen Baird attorney or Mark Bower at (207) 775-7271 or **mbower@jbggh.com**.

Maine Revised Statutes

[§3031](#)

Title 23:

[§3033](#)

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TRANSPORTATION
Part 3: LOCAL HIGHWAY LAW
Chapter 304: ACQUISITION OF PROPERTY FOR
HIGHWAY PURPOSES

§3032. Proposed, unaccepted ways deemed vacated

1. Deemed vacation.

[1997, c. 386, §1 (RP) .]

1-A. Deemed vacation. A proposed, unaccepted way or portion of a proposed, unaccepted way laid out on a subdivision plan recorded in the registry of deeds prior to September 29, 1987 is deemed to have been subject to an order of vacation under section 3027 if, by the later of 15 years after the date of the recording of the subdivision plan laying out the way or portion of the way or September 29, 1997, both of the following conditions have been met:

A. The way or portion of the way has not been constructed or used as a way; and [1997, c. 386, §2 (NEW).]

B. The way or portion of the way has not been accepted as a town, county or state way or highway or as a public, utility or recreational easement. [1997, c. 386, §2 (NEW).]

A way or portion of a way considered vacated under this subsection is subject to section 3033.

[1997, c. 386, §2 (NEW) .]

2. Extensions. The municipal officers of the affected municipality may except a proposed, unaccepted way or portion of a proposed, unaccepted way described in subsection 1-A from the operation of the time limitations of that subsection by filing, in the registry of deeds where the subdivision plan is recorded, a notice stating that the way or portion of the way is excepted from the operation of subsection 1-A for a period of 20 years from the filing of the notice. To be effective, this exception must be filed prior to the expiration of the time limitations of subsection 1-A. An extension accomplished under this subsection may be extended by the municipal officers for a subsequent 20-year period by the filing of a new notice within the preceding 20-year extension period.

[1997, c. 683, Pt. B, §10 (AMD); 1997, c. 683, Pt. B, §11 (AFF) .]

SECTION HISTORY

1987, c. 385, §2 (NEW). 1997, c. 386, §§1,2 (AMD). 1997, c. 683, §B10 (AMD). 1997, c. 683, §B11 (AFF).

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Maine Revised Statutes

[§3021](#)

Title 23:

[§3023](#)

TRANSPORTATION

Part 3: LOCAL HIGHWAY LAW

Chapter 304: ACQUISITION OF PROPERTY FOR HIGHWAY PURPOSES

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§3022. Laying out of town ways and public easements

The municipal officers may, personally or by agency, lay out, alter or widen town ways. They shall give written notice of their intentions posted at least 7 days in 2 public places in the municipality and in the vicinity of the way and shall in the notice describe the proposed way. [1975, c. 711, §8 (NEW).]

The municipal officers may, upon the petition of any person, lay out, alter or widen a town way. [1975, c. 711, §8 (NEW).]

The municipal officers may on petition therefor, personally or by agency, lay out a public easement for any occupant of land or for owners who have cultivated land in the municipality if the land will be connected to a town way or highway after the establishment of the public easement. [1979, c. 127, §153 (RPR).]

After a public easement has been laid out, it may be taken pursuant to section 3023. Notwithstanding any other provision of this chapter, public easements laid out under this section are limited to rights of access by foot or motor vehicle as defined in Title 29-A, section 101, subsection 42. [1995, c. 65, Pt. A, §65 (AMD); 1995, c. 65, Pt. A, §153 (AFF); 1995, c. 65, Pt. C, §15 (AFF).]

SECTION HISTORY

1975, c. 711, §8 (NEW). 1979, c. 127, §153 (AMD). 1995, c. 65, §A65 (AMD). 1995, c. 65, §SA153,C15 (AFF).

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Maine Revised Statutes

§3026

Title 23:

§3027-A

TRANSPORTATION

Part 3: LOCAL HIGHWAY LAW

Chapter 304: ACQUISITION OF PROPERTY FOR HIGHWAY PURPOSES

§3027. Vacation of proposed town ways in land subdivision; revocation of dedication

1. Vacation of ways. Where proposed town ways have been described in a recorded subdivision plan and lots have been sold with reference to the plan, the municipal officers, after notice to the municipal planning board or office, may, on their own initiative, on petition of the abutting property owners or on petition of any person claiming a property interest in the proposed way, vacate in whole or in part proposed ways that have not been accepted. The municipal officers shall give best practicable notice, as defined in section 3026, subsection 2, of the proposed vacation to owners of lots on the recorded subdivision plan and their mortgagees of record. The notice shall conform in substance to the following form:

NOTICE

(The municipal officers of) (A petition has been filed with the municipal officers of) _____ (Name of Town or City) _____ (propose to) (to vacate) the following (ways) (way) shown upon a subdivision plan (named) (dated) (and) recorded in the _____ County Registry of Deeds, Book of Plans, Volume _____, Page _____.

(Herein list or describe ways to be vacated)

If the municipal officers enter an order vacating (these ways) (this way) any person claiming an interest in (these ways) (this way) (adverse to the claims of the petitioners) must, within one (1) year of the recording of the order, file a written claim thereof under oath in the _____ County Registry of Deeds and must, within one hundred eighty (180) days of the filing of the claim, commence an action in the Superior Court in _____ County in accordance with the Revised Statutes Title 23, section 3027-A.

The municipal officers shall file an order of vacation with the municipal clerk that specifies the location of the way, the names of owners of lots on the recorded subdivision plan and the amount of damages, if any, determined by the municipal officers to be paid to each lot owner or other person having an interest in the way. Damages and reasonable costs as determined by the municipal officers shall be paid by the petitioners, if any.

[1987, c. 385, §1 (AMD) .]

2. Revocation of dedication. A dedication of property or interest therein

to the municipality described in a recorded subdivision plot plan may not be revoked or vacated by the dedicator unless no lot has been sold with reference to the plan, and unless an amended subdivision plan has been approved by the municipal subdivision review authority and recorded in the appropriate registry of deeds.

[1981, c. 683, §2 (NEW) .]

SECTION HISTORY

1975, c. 711, §8 (NEW). 1981, c. 683, §2 (RPR). 1987, c. 385, §1 (AMD).

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**State House Room 108
Augusta, Maine 04333-0007**

PLANS FOR DISCUSSION RE: PAPER STREETS (9/9/97)

Town Location Map	York County Registry of Deeds Book/Page	Plan Name	File Date
1.	2/8	Plan of Survey of Land at the Sea in Kennebunk for Hartley Lord "Private Way or Street" [If this plan is Lord's Point, then this road has been relocated as has the lot configuration]	12/10/1873
2.	3/4	Kennebunkport Seashore Co. Beach Ave., Grove St., Boothby Rd., Railroad Ave. The following segments of streets have not been constructed: P/O Railroad Ave. P/O Ridge Ave. P/O Valley Ave. Grove/Woodland intersection different No (Cross St) between Ridge Ave. & Valley Ave. No (Farm Ave.) between Ridge Ave. & Boothby Rd.	9/27/1883
3.	3/29	Ross St./Storer St. Plan "Possible Street" between Map 82 Lot 22 and Map 82 Lot 23	10/19/1891
4.	3/30	Storer Homestead Subdivision "Lafayette" St. - Does not exist "Private Lane" (Probably located under SAD 71 Office) "Parsons Street slightly reconfigured from Original Plan	10/19/1891
5.	6/5 & 6/6	Mousam River Park (West Kennebunk) Sections One & Two Difficult accurately locate on ground ? Probably Map 26 Lot 3 No street names shown (Never Built)	9/28/1906 10/20/1906
6.	6/27	Mousam River Park (Re-division of Section One) West Kennebunk Probably Map 27 Lot 7 (Ditto comments from Original Plan One above) (Never Built)	10/24/1907
7.	6/69	Mousam River Park (Plan of Section Three-C) West Kennebunk (Emery's Hill Park) Don't know where these are? Arbutus Ave. Highland Ave. Everygreen Ave. Broadway Mousam Ave. Pine St. (Never Built)	11/21/1910 1/9/1911

COPY

- | | | | |
|-----|------------|---|-----------|
| 8. | 8/9 | Charles Parsons Estate
Road "H"?
P/O Road "B" (between intersection of Hart's Road & Parsons Beach Rd.) See Map | 5/1/1916 |
| 9. | 8/18 | Gooches Beach (Cottage Sites)
The spacing between Pleasant St. & Peninsula Dr. (Pine Ave. on Plan) seems wrong? (I think "Pine" was moved closer to Pleasant St.?) | 11/2/1916 |
| 10. | 10/44 | Cottage Lots of Robie Wentworth Kennebunk Beach (1925)
P/O Great Hill?
20" R.O.W. to Ocean No longer exists between lots 61/27 & 61/26?
Plan lots (20) & (19) | 9/23/1926 |
| 11. | 11/13 | Strawberry Point Lots
P/O Plan of Robie Wentworth (Great Hill Rd.)
40' "Reserved Way" shown heading out towards "Sand Bar"
Should be retained (Land Trust owns) | 2/5/1929 |
| 12. | 21/50 | P/O Plan of Fred Bunnell
Mousam River Old R.R.?

30' R.O.W. to 2 rear lots not developed
(See tax map 65 lots 27, 28, 28A) | 7/9/1958 |
| 13. | 22/79 | Arundel Estates 57 Lot Subdivision
Fairfield
One of the cul-de-sacs was never built - but lots for sale on it | 9/22/1951 |
| 14. | 26/15
" | Emery Acres (Intervale)
Little Lane" never built and does not appear on tax maps at all.
Meadow Dr. is slightly different configuration but is built
Does Town need for drainage? | 1/3/1957 |
| 15. | 27/2 | Ocean View Acres
Ocean View Road
Florence Circle
River Road
+2 Unnamed 30' R.O.W.'s to Bridle Path
[It appears that R.O.W.'s are being used for access to lots 65/28 and 65/28A which are located across the Bridle Path]
Does Town want to maintain access to Bridle Path? | 1/2/1957 |
| 16. | 30/6 | Lots belonging to Fred Bunnell (Not located on map)
Off Cat Mousam Rd.
[proposed unnamed street and R.O.W. to it]
(Do not know where this site is) | 8/15/1960 |

17. 32/21 Land owned by Robert & Hazel Coyne 4/26/1962
P/O Coyne-McKay Lane 40' R.O.W.
No definite end
-
18. 38/13 Components, Inc.
Corner of Alfred Rd. & Alewife Road
R.O.W. (36.89' shown from Alewife Road to rear lot line is not described - It may
be part of Chewning lot now which runs along rear of old Auto Emissions Building
-
19. 40/50 Revised Plan Emery Acres 3/7/1966
Meadow Dr. - extension shown on plan goes all the way to River? Not on tax map?
Intervale Rd. - existing dead end section (Tax map) does not show turn around area that
was proposed on plan
Meadow Dr. - R.O.W. width from plan varies?
-
20. 49/12 Plan of Robert Marier, Jr. 12/3/1969
Penfield Dr. - *Part of street up to and including temp. cul-de-sac has been built per
plan but proposed street connection to rear property line never built or accepted by
Town.
-
21. 49/47 River - Dale 9/21/1970
Constitution Road (now called Constitution Dr.)
Whippoorwill Circle
High Bluff Dr. (Currently called River Rd.)
[Not completely connected to abutting subdivision?]
-
22. 51/11 Plan of Lots of Arundel Realty, Inc. 12/29/1969
(No name on cul-de-sac rd)
Don't know where this subdivision is?
Plan was probably not built
-
23. 83/26 Plan of Land Charles & Julia Crowley 10/5/1976
"10' wide paved road" between town Bridle Path and Mousam River not shown of Tax
map?

9.c.

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
BY-LAWS AND POLICIES**

ARTICLE I – BOARD OF SELECTMEN

Section I – MEMBERSHIP OF THE BOARD OF SELECTMEN

- A. The Kennebunk Board of Selectmen’s composition, election, and qualification shall be as prescribed in the Town of Kennebunk Charter.

Section II – ORGANIZATION OF THE BOARD

- A. The organizational meeting of the Board of Selectmen shall take place at the first regular or special meeting in the new fiscal year.
- B. In addition to the election of Chairman and Vice-Chairman, the Board may elect a Secretary for the ensuing year.
- C. In the event the Board chooses not to elect a Secretary, the Vice- Chairman shall be responsible for the preparation and presentation of minutes.
- D. Each newly elected Selectman, prior to undertaking to serve in the Office of Selectman, shall take an Oath of Office or Affirmation thereof in such form and manner as prescribed by the Town Clerk.

Section III – GENERAL POWERS AND DUTIES

- A. In addition to the general powers and duties prescribed by the Town Charter and by State Law, the Board of Selectmen shall prepare or provide for the preparation of a record of all policies adopted by the Board.
- B. The Board of Selectmen may adopt specific powers, duties, and rules of conduct provided they are consistent with the Town Charter, the Constitution of the United States of America, and the Constitution and Laws of the State of Maine

ARTICLE II – MEETINGS

Section I – REGULAR MEETINGS

- A. Regular meetings of the Board shall be held on the second and fourth Tuesday of each month except when determined otherwise by majority vote of the Board.
- B. Meetings of the Board shall begin at 6:30 p.m. except as otherwise agreed by the Board.
- C. Meetings shall be held at the Kennebunk Town Hall except as otherwise agreed by the Board.
- D. Notwithstanding the foregoing, once called to order, a meeting may be moved to another location.

Section II – SPECIAL MEETINGS

- A. Special meetings may be held at the call of the Chairman, or at the call of any four Board members whenever deemed necessary.
- B. Notice of all Special Meetings shall be given to the members of the Board by the Town Manager or Chairman at least twenty-four hours prior to the meeting, except in an emergency.
- C. The press shall be notified of the time and place of all Special Meetings.

Section III – EXECUTIVE SESSIONS

- A. The Board shall sit in executive session when such sessions are voted by a majority of the members present and voting, and only in accordance with the Freedom of Access/Right to Know Law.
- B. The motion to go into executive session must state the nature of the business to be discussed. No other business may be discussed or considered.
- C. Executive sessions shall be closed to the public and the press.
- D. The Town Manager shall be allowed to attend all executive sessions except those which pertain to his/her employment, where his/her exclusion is permitted by the State Law.
- E. Individuals authorized by State Law, or by vote of the Board, may attend executive sessions provided their attendance is relevant to the business to be discussed.

ARTICLE III – PROCEDURES AND CONDUCT OF MEETINGS

Section I – RULES OF ORDER

- A. The Chair shall run meetings consistent with the By-laws, the Town Charter or policies adopted by the Board.

Section II – ORDER OF BUSINESS AT REGULAR MEETINGS

- A. Call to order.
- B. Approval of Minutes
- C. Items to be Signed
- D. Public Hearings
- E. Agenda Items as prepared by the Town Manager, except that the Board may at the request of the Chairman or any member, take any item out of order.
- F. Any other business which may legally come before the Board at the request of the Town Manager, members of the Board and the public, and in that order.
- G. All items for consideration must be ~~written~~ submitted to the Town Manager by noon on the Wednesday before the Selectmen's meeting unless it is an emergency which will be decided by the Chairman and/or Town Manager.
- H. Agenda items generally will have two readings before Board action. Exceptions are at the discretion of the Board.

Section III – QUORUM AND VOTES OF THE BOARD

- A. Four members of the Board shall constitute a quorum. If a member has a conflict of interest, said member shall not be counted by the Board in establishing the quorum for such matter under consideration.
- B. No hearing or meeting of the Board shall be held, nor any action taken, in the absence of quorum; however, those members present shall be entitled to vote to continue the meeting to a subsequent date.
- C. All matters requiring a vote of the Board shall be decided by recorded vote. Decisions on any matter before the Board shall require the affirmative vote of a majority of the quorum.
- D. A tie vote, or favorable vote by a lesser number than the required majority, shall constitute defeat of the motion before the Board.

Section IV – CONDUCT OF MEETINGS

- A. Members of the public are welcome at all meetings.
- B. The Chairman shall insure that decorum is maintained at all times during Board meetings.
- C. The Chairman may, subject to override of the Board, limit or curtail public participation in order to proceed with the business at hand.
- D. On any agenda item, the Board of Selectmen will get the opportunity to comment before opening the floor to the public. The Board reserves the right to hear all public comment at the end of the meeting.
- E. All members of the public must identify themselves before speaking.
- F. All members of the public must use the microphone to be recognized to speak. The Chairman will recognize the next speaker when it is time to speak.
- G. The public, per the Town Charter, shall have the right to be heard on all items on the Board's meeting agenda, either during public comments or the agenda items subject to a 5 minute limitation per person or as amended by a Board vote.
- H. The order of speaking for agenda items shall be the Chairman, staff, Selectmen, members of the public, additional comments from staff (as necessary), then Selectmen deliberation and action as appropriate, or as amended by a Board vote.

Section V – MINUTES AND RECORDING

- A. All actions of the Board shall be recorded in the minutes book of the Board. The minutes book shall be on file in the Town Offices and shall serve as a permanent record of all Board action. It shall be open to public inspection during normal business hours of the Town Office, or at such other times as the Town Manager or the Board shall prescribe.
- B. All actions of the Board shall be recorded as an added permanent record. The recordings shall be retained according to Maine State Archival Requirements in the Town Offices and available for public inspection in a like manner as the minutes of each meeting.
- C. The Board sets the time limit regarding the retention of such records (or recordings) to concur with State law.

- D. The minutes and recordings of meetings may not be removed from the Town Offices except by the Recording Secretary or by order of court.
- E. Copies shall be provided at the expense of the individual requesting such copies.
- F. All regularly scheduled meetings will be televised. The televising of special meetings and workshops shall be decided by the Board or the Chairman, as needed.

ADOPTED: 2003-11-25
AMENDED: 2005-06-28
AMENDED: 2008-08-12
AMENDED: 2009-05-26
AMENDED: 2009-07-14
AMENDED: 2009-10-27
AMENDED: 2010-08-10
AMENDED: 2013-02-12

9.d.

Lower Village Master Plan Concept and Design.

In 2010, the Town established the Lower Village Tax Increment Financing District to assist in the infrastructure improvement that was need throughout the Lower Village. By 2011, a number of changes both increased the attractiveness of the Lower Village and created new investment: a new Inn, a Restaurant and other property investments. These improvements brought forth compliments and challenges. At the same time, the community completed the first stage of the infrastructure improvements, running from Cooper's Corner to the Lannigan Bridge (Kennebunk River). New utilities, sidewalks, road construction, lighting, and other "annual" amenities were put in place. The TIF district plan calls for these improvements to be completed throughout the district, but TIF revenues have come slower than anticipated. It is anticipated that TIF funding would be available for the project, in combination with other funding sources, in 2018/19 or 2019/20.

In 2015, interests in the area created a Strategic Vision for the Lower Village (see the Town's web site). A strategic plan with various actions were accepted, the key action was to create a physical Master Plan for Lower village that would address design issues, connectivity, and the remainder of the needed street, utility, and sidewalk improvements, as well as identifying a design solution for Cooper's Corner. The Lower Village Committee has reviewed this concept, presented to the Board of Selectmen whom have approved the Town moving forward. The Economic Development Committee, in its priority setting, recommends funding for this project and that an RFQ be developed to complete the work by early spring, 2017. Design work would follow. Funding for concept and design would be reviewed upon receiving the RFP responses, could be budgeted over two years with an estimated investment of \$75,000.

Mathew Eddy
Economic Development Director

November 2, 2016

MS4 Stormwater Management.

The Town of Kennebunk has been reviewing poor water quality issues caused by both point and non-point pollution sources. The apparent source for some of these issues is a multi-faceted; tributaries to both the Mousam River and Kennebunk River, drainage issues along developed areas of Rte. 1 North and South, and other developed locations in Kennebunk.

It is possible that Kennebunk will be subject to the Clean Water Act related to the national Pollutant Discharge Elimination System (NPDES) permit program and be become a "regulated Municipality". Many communities in the Greater Portland area are subject to such regulation and are part of the Interlocal Stormwater Working Group.

Kennebunk would like to address these point and non-point issues while beginning preparation for the possibility of being a regulated community and would also like to better address drainage issues on Route 1 (which is bound by wetlands behind most route 1 properties, including the Rachel Carson Watershed). While some wetlands have been mapped systematically, many of the other wetland areas and drainage systems are based from lessor survey's and little understood. There is limited GIS mapping related to these issues.

An RFQ will be developed that will ask for teams that can put together an inventory of natural and manmade resources related to drainage in the 3 watershed areas. The inventory is expected to establish a sound, integrated GIS level system that would permit further assessment of the watersheds and develop a program for management and treatment when needed. The Economic Development Committee as a priority project recommends this project. Because the project is environmental in nature, spending come from any of the TIFS and be spent in the areas identified above.

In essence this work encompasses two parts; utilizing an outside engineering consulting company to identify the MS4 storm water preparation requirements with possible solutions and the building of a more complete inventory of GIS data information. The work on both projects would span a few years. The estimated cost would be more clearly identified after engaging a consulting group but the tentative combined estimates would be \$75,000 and \$50,000 respectively.

Mathew Eddy
Economic Development Director

November 2, 2016

GIS Asset Management Layer Information.

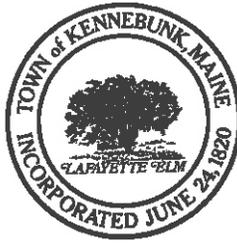
This request is proposed to modify the town's web site to provide a series of GIS layers concerning land and appropriate conditions for ease of access by residents and businesses alike. Original TIF approvals call for the expansion of a GIS data system and application to the web site for use by residents and businesses. The Town's GIS system needs more refined data for tracking assets, establishing long term plans, and a functional service tool for businesses, residents, and staff. This information can be used across multiple long and short projects and departments. The funding will be plugged into existing staff efforts to upgrade the GIS system and bring it to the web site, as was the case 10 years ago. Amount requested: \$50,000 in this first phase.

Mathew Eddy
Economic Development Director

November 2, 2016

9.e.

Town of Kennebunk, Maine



Barry A. Tibbetts
Town Manager
Tel: (207) 985-2102, ext. 1308
Fax: (207) 985-4609

To: Board of Selectmen

From: Barry A. Tibbetts, Town Manager

Subj: Waterhouse Center Questions and Answers

Date: November 2, 2016

At the August 9th Board of Selectmen's meeting, several questions were raised about the Waterhouse Center. The Board at that time requested the Board's Sub Committee on Finance review these questions. After that sub-committee meeting in September, Kennebunk Savings Bank extended a commitment to fund the operational expenses at \$7,500 per year for the next three years. They believe the addition of this special community center in the heart of downtown is an incredible asset for youth and families. These monies would be used for hard cost expenses (electric, water, sewer, cleaning bathroom and simple maintenance, etc.) of the operational budget. In section B of this memo is a summary of the expenditures and history of funding.

The following is summary of the answers to that August meeting. To prepare answers to those questions, I have researched 18 Board agendas spanning from 2013-2015 concerning this project. All the documentation is available online, and the appropriate sections are attached for quick reference which are comprised of agendas, specific enclosures for those agendas, and meeting minutes. At the end of this memo are the various sections starting with the chronology of the discussions/decisions for this project.

Below is the short list of those questions. The answers are by sections.

- A) The funding of the Center.**
- B) Selectman Ed Karytko's comment that he heard this project "would not cost the taxpayers a dime". Who is responsible for maintenance of the building, operations?**
- C) Repaying the GAP TIF funds used for the building.**
- D) Status of donor contributions.**
- E) Other project needs that have been identified at the Center.**
- F) Summary and Recommendations.**

A) The funding of the Center.

The 3/25/14 and 4/22/14 Selectmen's meeting packets included the Waterhouse Youth Endowment Fund documentation, which describes the functioning of the Endowment. Geraldine Waterhouse donated \$1.5 million to the fund; the earnings from this Endowment are distributed by the Directors each year for ice creation/maintenance and programming. The Endowment fund is managed by a private firm for the foundation and overseen by the Directors of the 501.(c).(3) charity. A yearly distribution of the earnings is provided toward the end of June/July to the Town for those expenditures. Those funds cover the planned events recommended by the Waterhouse Center Advisory Committee. That committee is comprised of 6 members (including Paige Hill, granddaughter of Geraldine Waterhouse).

B) Selectman Ed Karytko commented that he heard this project "would not cost the taxpayers a dime". Who is responsible for maintenance of the building, operations?

I have looked through the key meetings based on the chronological listing of meetings for this project and could not find on the agenda, in the minutes, or listening to the recorded dialog a confirmation of those comments about not costing a dime to taxpayers.

The breakdown of which entity is responsible was brought up at a few meetings. The power point documentation enclosed in the BOS packet on 4/22/14, page 3, first frame and bottom line indicates the division of responsibilities. This is also supported by the projected operational expenses documentation in the BOS packet of 3/25/14 before we had any data on actual usage. The power point bullet states:

"Maintenance of the Park Site and pavilion structure by the Town. Ice Skating by the endowment."

This power point along with all the data for this project was provided in several packets.

To further identify the breakdown of costs, I would reference the projected operational expense report provided in the 3/25/14 BOS agenda packet. This provides an estimated budget and probable expenses based on a few broad categories: Ice creation/maintenance and Utility/Town expenditures.

Based on these items above and understanding the Center's costs, the expenses have been allocated to most fairly represent these categories. Obviously, some expenditures have occurred that were not categorized and have been fairly applied. Expenditures for the facility that have a universal usage for the building are divided on a 60/40 basis (Town-8 months/Waterhouse-4 months). This would relate to cleaning bathrooms, lights, water, sewer, simple building maintenance, etc.

Revenues on the projected budget sheet from the BOS of 3/25/14 were based on advertising options, space rental, food vendor licensing, adult programming (weddings, etc.), and special events. This summary included project numbers for these categories. On 12/9/14, the Board subsequently decided not to initiate banner advertising at the Center (estimated revenue of \$7,000 to \$9,000 per year) and asked a Selectmen's subcommittee (Searles, Donovan, & Cluff) to study the possibility of

advertising revenues. The subcommittee subsequently, at the first meeting in January of 2015, made the recommendations below. This included setting aside \$10,000 in the upcoming budget to handle any anomalies in the projected budget. That budget allocation did not get entered into the budget, I completely forgot this request as did the full Board.

12/9/14 BOS meeting

“...At a previous meeting, a discussion was held on covering the non-winter operational costs (sewer, lights, water, trash, etc.) using advertising. One of the options to fund these costs would be the use of Gobo lights to display logos (on ice, on wall/floor, etc.). Concerning the rink, our ice consultant thought six Gobo lights should be the limit. No agreements have been signed but tentatively we have six interested businesses.

Should the Board desire, additional opportunities to raise funds might be: naming benches, banners, commercials on one of the big screens, splash page on Wi-Fi access, mobile food licensing permits, others? The goal of the advertisements was to offset operating expenses. That number was projected to be \$7,000-\$9,000; however, we will not know that number until the end of the first year.

Selectman Cluff thought developing an advertising plan would be an appropriate way to manage these advertising opportunities. ...”

Follow-up determination in January, 2015:

1/13/15 BOS meeting

- a. “Discuss Advertising Opportunities for the Waterhouse Center (5 minutes) – At the last meeting, the Board discussed some options for covering the non-winter operational costs (sewer, lights, water, trash, etc.). The subcommittee (Selectmen Donovan, Searles, Cluff) met to refine the possible options. The subcommittee felt one of the key components was to not over advertise at the facility.

The projected operating cost is \$7,000-\$9,000. The potential income stream to offset those costs, with no additional advertising, would come from mobile vending licenses and facility rentals. The subcommittee felt these two potential revenue streams might be able to cover the estimated expenses. The subcommittee also felt the Town should set aside \$10,000 in the upcoming budget to ensure the operation of the facility is covered. This approach would allow for a baseline of non-winter operational expenses to be established and subsequently adjusted with additional advertisement as necessary to balance that account.

MOTION: To postpone additional advertising at this time and review this again in nine months.”

The above statements and minutes of the various meetings reflect that the Board members understood in the initial years that there could be additional operating expenses above the projected revenues. The potential impact was unknown.

The chart below reflects the actual costs based on those categories mentioned (Ice creation/maintenance and Utility/Town expenditures) in the various minutes above. These costs reflect expenditures for the past two winter seasons; the first year reflects only 8 mos., while the next year reflects 12 mos.

Year	Ice Creation/ Utilities Maintenance	Building	Trash Pickup, Sweeping, Flowers	Total (ice/build) Waterhouse Town
2014/15 (Oct. 2014 thru June 30, 2015) 8mos.	Ice \$19,814 Maint. \$ 9,492	\$1,718 W \$4,012 T	n/a	\$ 32,460 Water \$ 4,012 Town
2015/16 (July 1, 2015 thru June 30, 2016) 12mos.	Ice \$14,662 Maint. \$15,094	\$ 7,893 W \$ 13,198 T	n/a	\$ 39,007 Water \$ 13,198 Town
2016/2017	TBD	TBD	n/a	TBD
Revenues 2014/15	\$ 5,689			
Revenues 2015/16	\$ 8,250 Bike Me @ \$3,500			

To date, the non-winter expenses have been covered by the Waterhouse Youth Endowment fund. The summary of the total expenses/revenues indicated above does not reflect any recreation department programming. In short, any revenues received pay for the expenses of the building. The expense budget of \$13,198 (above) represents cleaning costs, security system monitors and 24/7 access along with routine maintenance.

The anticipated average operating cost for the center after nearly two years is \$7,500 which covers (electric, water, sewer, cleaning bathroom and simple maintenance, etc.). This is within the original estimated costs of 2015.

From a simplistic view of a non-administration building maintained by the Town, a comparison is provided below with the Dorothy Stevens Community Center.

Dorothy Stevens Comm. Center	2016
Revenues	\$1,155
Budgeted line item for expenses	\$8,900
Public tax dollar cost	<\$7,745>

Waterhouse Center	2016
Revenues	8,250
Expenses	13,198*
Public tax dollar cost	<\$4,948>

*Includes some longer term items \$1,400

Bike of Maine revenue adjustment (one-time)
 A better estimated number would be (4,948+3,500) <\$8,448>

From this simplified approach of a comparison between the Dorothy Stevens Community Center and the Waterhouse Center, the public tax dollar costs are nearly equal. With the Waterhouse Center, the

Town has the unique ability to allow the sale of advertising space (10 banners at \$1,000 each). This would reverse the negative number to a positive one, or if no advertising is desired, the alternative is to have a budget allocation of \$10,000 as recommended by the Selectmen subcommittee in 2015.

C) Repaying the GAP TIF funds used for the building.

The TIF funds used to fill the GAP were finalized at \$130,000 at the BOS 4/22/14 meeting. In reviewing the Board meeting for this project (on 1/13/15), the Board approved up to \$60,000 from

the TIF as contingency (not to be repaid). The objective of that approval during the height of the fundraising program was to show the area businesses and residents that the Town was committed to the project. The Town was committed to funding a portion of the project from the TIF. That vote was 6/1. Attached are the TIF documents, which support the allocation of the \$60K as appropriate, based on the TIF expenditure descriptions with this parcel being within the TIF District.

The fund repayment is as follows.

Using the 4/22/14 allocation	\$130,000
Brick sales (to date)	\$ 37,378 (net)
Sub Total	\$ 92,622
Pending donations	<u>\$ 12,000</u>
Sub Total	\$ 80,622
Original Board approval up to	\$60,000

Based on the above numbers showing the repayment along with the 1/14/14 BOS vote (6/1), the GAP at the Waterhouse Center is nearly fulfilled.

D) Status of donor contributions.

The Town is in the third year of donations for the funds to build the Waterhouse Center. The remaining monies to be collected after the 2016 commitments for the years 2017 - 2019 would be \$145,250. The remaining donors include several businesses and residents. The Town is on track to achieve the final objective in these donations.

E) Other project needs that have been identified at the Center.

Attached are a number of future improvements to the Waterhouse Center that have been determined by the Waterhouse Center Advisory Committee and staff to allow for better functionality of the facility year round. These items could be potentially addressed through the foundation and implemented over the coming years. That has been the discussion with the Directors who are willing to allow excess earnings over the necessary expenditures to be applied to those improvements.

Summary and Recommendations

- A) The Center was never intended to be self-sufficient without advertising revenues; only the ice skating component was going to be self-sufficient.

- B) The Town could allow banner or other advertising on site to increase revenues to offset costs or change the fee structure for activities. This is the same approach the Town uses to lower other service deliveries, i.e., ambulance, recreation, beach passes, etc.
- C) If the Town chooses not to advertise, it should create a budget line item similar to the Dorothy Stevens Community Center in the Recreation budget and fund it at \$10,000 with an offsetting revenue line of \$3,000.
- D) After reviewing the history of the TIF GAP numbers, the Board should honor the prior Board's allocation of up to \$60,000 to close that GAP since these expenditures are clearly allowed per the attached TIF documents, leaving a balance of \$20,622 for future brick sales.
- E) The Town will need to use its manpower resources on occasion to accomplish various tasks for the Center, just as we would for the ball fields, playgrounds, etc.
- F) The Town should continue to work with the Waterhouse Center Board of Directors to foster further improvements.

CHRONOLOGY OF DISCUSSIONS:

Below is a quick summary of the BOS meetings and timeline:

<u>BOS Meeting Dates</u>	<u>Short Summary of Agenda Item</u>
06/11/13	Discussion of compressors for outdoor rink
07/09/13	Same
10/08/13	Waterhouse Youth Endowment, established/discussion of project concept
10/22/13	Use of monetary donations, in-kind services & TIF funds for project
11/20/13	Discussion on concept of project, revenue options and fundraising
01/14/14	Discussion of the concept project costs and Board approved usage of TIF funds up to \$60,000 with no repayment to TIF
02/25/14	Update on Endowment, Town Charter, TIF authority, project scope, construction estimate, timing, donations to date and operating budget for facility
03/25/14	Update on Endowment, Town Charter, TIF authority, project scope, construction estimate, timing, donations to date and operating budget for facility
04/22/14	Approval of project, naming, award of contract, Buy a Brick program introduced, approval of TIF funding for building construction up to \$135,000 as contingency. TIF to be repaid, no timeline established.
05/13/14	Buy a Brick program established
09/09/14	Temporary moratorium on mobile vendors at Waterhouse Center, until an ordinance can be drafted
9/23/14	Draft moratorium approved on mobile vendors at Waterhouse Center

10/14/14 Buy a Brick program updated

11/25/14 Discussion of advertising opportunities at the Center (banners on walls, railings, bench plaques, etc.) to be used for operational revenues.

12/09/14 Advertising opportunities at the Center- only advertising approved was for capital sponsors. Decided to send to a committee for further review.

01/13/15 Zamboni rides at Waterhouse Center

04/14/15 Waterhouse Center Award from MRPA

05/02/15 Plaque approval for Waterhouse Center