

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, JANUARY 10, 2017 – 6:30 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301**

AGENDA

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. December 13, 2016 Regular Meeting

3. Items to be Signed (2-3 minutes)

- a. Items as Presented

4. Public Hearing(s)

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

**Hummingbird Café d/b/a Squaretoes Restaurant
Located at 30 York Street
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.

***MOTION:** To approve the Malt, Spirituous and Vinous Liquor License Application for Hummingbird Café d/b/a Squaretoes Restaurant.*

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

**Old Vines Wine Bar LLC d/b/a Old Vines Wine Bar
Located 173 Port 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.

***MOTION:** To approve the Malt, Spirituous and Vinous Liquor License Application for Old Vines Wine Bar LLC d/b/a Old Vines Wine Bar.*

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

**Mogo Holdings d/b/a Pedros
Located at 181 Port Road
for a renewal Malt, Spirituous and Vinous Liquor License Application
AND
Special Amusement Permit 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.

MOTION: *To approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit Application for Mogo Holdings d/b/a Pedros.*

- d. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

A proposed ordinance entitled "Town of Kennebunk Park Use Ordinance". This proposed ordinance will go before the voters at the Annual Town Meeting of June 13, 2017.

Copies of the proposed ordinance may be reviewed on the Town website and are available in the Town Clerk's Office.

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

A copy of the proposed Ordinance is included in the packet.

The enactment of a new ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 13, 2017, the motion could be as follows:

MOTION: *To send the proposed Park Use Ordinance to the Annual Town Meeting on June 13, 2017.*

- e. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

A proposed moratorium on retail marijuana establishments and retail marijuana clubs in the Town of Kennebunk. This question will go before the voters at a Special Town Meeting Referendum Election on February 28, 2017.

Copies of the proposed moratorium may be reviewed on the Town website and are available in the Town Clerk's Office.

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

A copy of the proposed Moratorium Ordinance is included in the packet.

The Board has already voted to send this to a Special Town Meeting on February 28, 2017. No further action is required.

- f. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

The discussion of proposed carry forward balances remaining in accounts with unexpended funds (from FY15-16 to FY16-17).

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

In accordance with the Town's Charter, Section 3.06, the Board of Selectmen, after a public hearing, may carry forward funds remaining in accounts with unexpended balances as of June 30, 2016. The books and records for the general fund are nearly closed, with the one of the final steps in this process being the identification of funds to be carry forward from fiscal year 2015-2016 into fiscal year 2016-2017.

MOTION: *To carry forward fund balances remaining in accounts with unexpended funds (from FY 15-16 to FY 16-17).*

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5-10 minutes)

a. Accept the Following Donations – The Town recently received the following donations from the Kennebunk community:

- For the Emergency Fuel Assistance Fund and Social Services:
 - \$200 from an anonymous donor
 - \$250 from Karen and Michael Pardue of The Tideview Group
 - \$407 from the Red Hat Group the “Kindred Bunkies”
 - \$1,000 from Estabrook’s
 - \$1,000 from Betsy Ames-Fitzgerald, Coldwell Banker Residential Brokerage
 - \$5,000 from Tim Harrington
- For the Fire Rescue Department:
 - \$100 from Michael & Virginia Hammar
 - \$1,000 from John & Nancy Cummings in memory of Harrison G. Coleman and Lloyd Nedeau

MOTION: To accept the donations for Fuel Assistance, Social Services and the Fire Rescue Department and send letters of appreciation to all donors for their generous support of the Town.

b. Hear a Brief Presentation on the Recent Storm (December 29 - January 2) – The Director of Public Services, Eric Labelle, will provide an update of the recent storm activities.

c. Holiday Closures and Curbside Collection Information for Martin Luther King, Jr. Holiday

Martin Luther King, Jr. Holiday – Monday, January 16

- Town Hall and Department of Public Services will be closed
- Transfer Station will be closed (closed Sun. & Mon. each week)
- Curbside collection of trash and recycling will take place as usual all week.

7. Time Sensitive Business

a. Take Up the Town Manager Appointment of the Tax Collector (3-5 minutes) – Below you will find the Town Manager’s Nomination for Tax Collector for the remainder of the fiscal year (through June 30, 2017). This position was previously held by Barry Tibbetts.

Joel Downs Tax Collector

Confirmation from the Board is required.

MOTION: To confirm the Town Manager’s Nomination of Joel Downs as Tax Collector through June 30, 2017.

8. Old Business (2nd Reading)

9. New Business (1st Reading)

a. Appoint the Registrar of Voters through 2019 (5 minutes) – State law requires the Board of Selectmen to appoint a Registrar of Voters in all odd number years for a two year period. Town Clerk Merton Brown has agreed to serve in this position.

MOTION: To appoint Merton Brown as the Registrar of Voters until December 31, 2019.

- b. Discuss a Criminal Forfeiture Request by the Kennebunk Police Department for the Transfer of Forfeiture Assets to the Town (5-10 minutes) – As part of the Kennebunk Police Department’s commitment with the Maine Drug Enforcement Agency, our assigned Agent initiated a criminal investigation of a male in Southern Maine who was trafficking in heroin. During the actual arrest, the Agent seized \$6,472 in suspected drug proceeds, as well as a 2004 Chevrolet 1500 pickup truck from the defendant. Upon the case being adjudicated in York County Superior Court, it was determined that these monies were in fact drug proceeds. Twenty-five percent of the currency (\$1,618) and the Chevrolet pickup truck will be forfeited to the Kennebunk Police Department for their substantial efforts in this case.

Should Board members vote to accept these forfeiture assets, the last page of the document will need to be signed by the Chairman, once approved by the Board of Selectmen. The document is enclosed in your packet.

MOTION: To sign the Municipality of Kennebunk Approval of Transfer form (for Docket No. CR-16-775) approving the transfer of \$1,618 and a 2004 Chevrolet 1500 pickup truck (or the proceeds from the sale of said vehicle if it is deemed to be the best interests of the Town); with said funds being retained by the Police Department.

- c. Discuss the 2017 TIF Operational Expenditures (5-10 minutes) – The Economic Development Committee (EDC) has met with the Lower Village, Downtown and West Kennebunk Village Committees to discuss the TIF operational expenditures for 2017. The proposed TIF budget meets the expectations of the committees.

On the attached "2017 TIF Districts - Projects and Recurring Expenditures" spreadsheet, the committee approved all but one item, which was inadvertently left off the list at the time of their vote. That item is the contribution to the Economic Development Corporation, which was funded last year. The committee will formally vote on this remaining item on January 14th and will forward their recommendation to the Board of Selectmen for the January 24th meeting.

For the purposes of this first reading, all items (including the amount for the Economic Development Corporation) have been included on the spreadsheet. The three items highlighted in yellow represent the new additions for 2017. This proposed budget adds in a social media/marketing component, provides additional benches in Lower Village and sets aside funds for a beach parking study. These additions align with the strategic plan. Laura Dolce, Executive Director of the Kennebunk-Kennebunkport-Arundel Chamber of Commerce, will be in attendance to share details on the social media services. Finally, the proposed TIF budget also moves the Economic Development Director compensation to the regular budget.

MOTION: To move to a second reading on January 24th.

- d. Discuss the Selectmen’s Outreach Sessions for the First Quarter of 2017 (5-10 minutes) – Sessions are generally held on the 3rd Saturday of each month (excluding summer months) on the third floor of the Town Hall from 8:30 a.m. to 10:30 a.m. These informal gatherings are attended by two Selectmen and provide residents with a chance to meet and talk with Selectmen on a one-on-one basis.

Two Selectmen will be needed for each of the following sessions (from 8:30 a.m. to 10:30 a.m.):

- Saturday, January 21 Selectmen _____ and _____
- Saturday, February 18 Selectmen _____ and _____
- Saturday, March 18 Selectmen _____ and _____

Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc. You can also sign up to receive notifications (reminders) of these events. Sign up for "home page calendar" events on the Town's homepage under "Notify Me".

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

10. Selectmen's Comments

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

11. Town Manager's Comments/Notes

- a. Upcoming Selectmen's Meetings/Workshops/Sessions:
- **Tuesday, January 17** – Special Joint Meeting with Kennebunk Light & Power District re: Dams will be held at 6:30 p.m. in the Town Hall Auditorium. Watch this meeting at the Town Hall, on digital cable TV channel 5 or online at www.townhallstreams.com.
 - **Wednesday, January 18** – York County Commissioners will be meeting to discuss the County's initiative to create a detox and drug treatment center in a County-owned building on Layman Way in Alfred. A copy of the proposed program is included in this packet. The meeting will be held at 4:30 p.m. in the EMA training/conference room in the government building at 149 Jordan Springs Road in Alfred.
 - **Saturday, January 21** – Selectmen's Outreach Session will be held from 8:30-10:30 a.m. on the third floor of the Town Hall.
 - **Tuesday, January 24th** – next regular Selectmen's meeting
 - **Tuesday, February 28, 2017** – A Special Town Meeting will be held in the Town Hall Auditorium from 6:00 a.m. to 8:00 p.m. to vote on a Proposed Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs.
- b. Update on the Mathew J. Lanigan Bridge Project – Construction of the bridge has begun and is expected to be fully completed by Memorial Day, 2017. The new bridge will be wider and will include six-foot sidewalks on both sides. There will also be a cantilevered viewing outlook at the center of the bridge on both sides. The \$2.7 million state project is being done in stages to accommodate the tourism economy of the region. According to the Maine Department of Transportation (MDOT), the schedule is as follows:
- Jan. 4 through March 4, Route 9 traffic over the bridge will be reduced to one lane of alternating traffic.
 - March 5 through mid-April accommodates a full closure of the bridge and Route 9 traffic in that vicinity. This period of full closure will allow the contractor to complete the majority of the work at an accelerated pace.
 - Mid-April to Memorial Day – The bridge will return to one lane of alternating traffic until the project is completed in late May.
- Please note: All construction work is weather-dependent so the schedule may change.**
To keep up-to-date on this construction project schedule, visit the Town's website at: www.kennebunkmaine.us/laniganbridge where you will find a link to MDOT's website for this project.
- c. Project Updates – The Skate Park, Beach Parking Assessment, and Lower Village Master Plan RFPs have been issued.
- d. Volunteer Zamboni Drivers – If you are interested in volunteering to run the zamboni at the Waterhouse Center this winter, please contact Jeanne at 604-1381.

12. Executive Session

13. Adjournment