

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

**SPECIAL MEETING – 6:15 P.M.**

**Interview the following Candidate(s) for Committees:**

Robert C. Danzilo	River Committee	Vacancy: (1) Non-Resident, Joint Member w/ Kennebunkport (Regular 2019)
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Mr. Danzilo has attended the Kennebunk River Committee meetings and was encouraged to apply for the non-resident, joint position.

Mr. Danzilo is a resident of Arundel. The Interlocal Agreement for the Kennebunk River Committee (with the Town of Kennebunkport) states the non-resident member shall be appointed jointly by both Boards of Selectmen and shall be a resident of a municipality other than either of the party municipalities and someone who demonstrates an interest in the functioning and success of the River. Mr. Danzilo qualifies for this position and the River Committee endorses his appointment.

The Kennebunkport Board of Selectmen met with Mr. Danzilo on February 25<sup>th</sup> and appointed him to this joint, non-resident position.

**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. February 23, 2016 Regular Meeting

Budget Meetings - minutes will be available for the next regular meeting

- b. February 2, 2016 Special Meeting (Budget Meeting 6:00 pm)
- c. February 4, 2016 Special Meeting (Budget Meeting 6:00 pm)
- d. February 6, 2016 Special Meeting (Budget Meeting 8:30 am)
- e. February 11, 2016 Special Meeting (Budget Meeting 6:00 pm)
- f. February 13, 2016 Special Meeting (Budget Meeting 8:30 am)
- g. February 16, 2016 Special Meeting (Budget Meeting 6:00 pm)

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

- a. Items as Presented

**4. Public Hearing(s) (5-10 minutes)**

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

**SUPHAB, Inc d/b/a Mekhong Thai Restaurant  
Located at 35 Western Avenue  
For a renewal Malt, Spirituous and Vinous Liquor License Application**

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

*Fire Department: 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 renewal Malt, Spirituous and Vinous Liquor License Application for SUPHAB, Inc. d/b/a Mekhong Thai Restaurant.*

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

**Sebago Brewing Company d/b/a Sebago Brewing Company  
Located at 65 Portland 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 renewal Malt, Spirituous and Vinous Liquor License Application for Sebago Brewing Company, d/b/a Sebago Brewing Company.*

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

**Richard Taranto d/b/a Old Vines LLC  
Located at 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 renewal Malt, Spirituous and Vinous Liquor License Application for Richard Taranto d/b/a Old Vines LLC.*

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

**Joseph Ryan d/b/a Ryan's Corner House  
Located at 17 Western Avenue  
For a renewal Malt, Spirituous and Vinous Liquor License Application**

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

*Fire Department: 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 renewal Malt, Spirituous and Vinous Liquor License Application for Joseph Ryan d/b/a Ryan's Corner House.*

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

**Denise Rubin d/b/a On The Marsh  
Located at 46 Western Avenue  
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.*

*MOTION: To approve the renewal Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit for Denise Rubin d/b/a On The Marsh.*

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

**J. Steven Kingston d/b/a The Clam Shack  
Located at 2 Western Avenue  
For a renewal Malt and Vinous Liquor License Application**

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

→ *Fire Department: annual inspection will take place on Monday, 3/7; will report at 3/8 meeting.*

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

*MOTION: To approve the renewal Malt and Vinous Liquor License Application for J. Steven Kingston d/b/a The Clam Shack.*

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

To discuss an application being submitted to the State of Maine CDBG program for an Economic Development Program grant. The purpose of the request is to assist **Fire N Brew** with \$250,000 of gap financing to construct a new production plant in Kennebunk. Public comments will be solicited at this Hearing and will be submitted as part of the application's required documentation.

All persons wishing to make comments or ask questions about the proposal are invited to attend this Public Hearing. Comments may be submitted in writing to: Mat Eddy, Economic Development Director at 1 Summer Street, Kennebunk, ME 04043 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Merton Brown, Town Clerk at 207-604-1326 so that accommodations can be made.

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

To discuss an application being submitted to the State of Maine CDBG program for a Microenterprise grant. The purpose of the request is to assist the following businesses with expansion, location, or rehabilitation activities: **We Care Drycleaners, Tom Joyal Freight House, Garden Street Market, Douglass Chancellor Meyers & Associates, Fitness Nuthouse, and Home Instead.** Funding for each business will be approximately \$25,000.

Public comments will be solicited at this Hearing and will be submitted as part of the application's required documentation.

All persons wishing to make comments or ask questions about the proposal are invited to attend this Public Hearing. Comments may be submitted in writing to: Mat Eddy, Economic Development Director at 1 Summer Street, Kennebunk, ME 04043 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Merton Brown, Town Clerk at 207-604-1326 so that accommodations can be made.

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

To discuss an application being submitted to the State of Maine CDBG program for an Economic Development Program grant. The purpose of the request is to assist **Gymnation** with gap financing of \$120,000 to develop a new home, with a new structure and equipment along Route 1 south, adjacent to Garret Pillsbury. Public comments will be solicited at this Hearing and will be submitted as part of the application's required documentation.

All persons wishing to make comments or ask questions about the proposal are invited to attend this Public Hearing. Comments may be submitted in writing to: Mat Eddy, Economic Development Director at 1 Summer Street, Kennebunk, ME 04043 at any time prior to the Public Hearing. TDD/TTY users may call 711. If you are physically unable to access any of the Town's programs or services, please call Merton Brown, Town Clerk at 207-604-1326 so that accommodations can be made.

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

## 6. Acknowledgements/Announcements (5 minutes)

- a. Accept the Following Donation – The Town recently received a \$250 donation from The Patriot Riders of America-Maine Chapter One from their annual Chili Cook-off. They requested their donation be applied to the Town's Emergency Fuel Assistance Fund.

**MOTION:** To accept the donation from the Patriot Riders of America-Maine Chapter One and send a letter thanking them for the generous donation.

- b. Accept a Grant on Behalf of the Community Garden Committee – The Community Garden Committee is the recipient of a Kitchen Gardeners International/SeedMoney Grant in the amount of \$860.60. The award included a "Donation" of \$460.60 and a Merit Grant of \$400.00. The Merit Grant is significant as the Kennebunk Community Garden was one of only 50 gardens chosen from a field of 450 applicants.

*About the Program/Grant:*

- Kitchen Gardeners International (KGI) is a non-profit community of over 30,000 people who are growing food and helping others to do the same.
- The SeedMoney Garden Grants Program is a fundraising portal for non-profit food garden projects such as community and school gardens and other garden projects serving people in need. They offer traditional crowdfunding tools as well as the possibility to receive challenge grants.

This is the third year in a row that the Committee has been awarded grants from this program.

Congratulations to the Community Garden Committee on your hard work and outstanding efforts in serving the community. Kennebunk is fortunate to have a dedicated group of volunteers working on behalf of our most vulnerable residents. Thank you!

**MOTION:** To accept the grant in the amount of \$860.60 from the Kitchen Gardeners International/SeedMoney organizations.

## 7. Time Sensitive Business

## 8. Old Business (2<sup>nd</sup> Reading)

- a. Discuss a Request by the Energy Efficiency Advisory Committee for an Ordinance Regulating Single-Use Carryout Plastic Shopping Bags (10-15 minutes) – At the meeting on February 9<sup>th</sup>, the Energy Efficiency Advisory Committee presented a draft ordinance on regulating single-use carryout plastic shopping bags. The proposed ordinance was reviewed by the Selectmen’s Ordinance Subcommittee and the Town attorney. An updated draft is attached for your review.

This ordinance bans single-use plastic bags with a thickness of less than 3 mils with an integral handle.

**MOTION:** To send to a second reading.

- b. Discuss the Sale of the Route One South (Rest Area) Property (10-15 minutes) –  
Information from last meeting: The Board has discussed the disposition of the Route One South Rest Area property with the discussion centered on turning the property from a tax idle parcel to a taxable parcel with business growth.

The June 10, 2014 Town Meeting vote authorized the Board to sell the 14 acre Rest Area property and to seek re-development proposals for that land, subject to such conditions as the Board of Selectmen deems in the Town’s best interests of the Town (see attached warrant article).

One proposal was received in response to the attached RFP, which was sent out in late August. The project was not awarded, based on the proposed use that was submitted, which did not meet the desired goals of the EDC.

The best option for that property was submitted by Benjamin Meggs (see attached P&S agreement) who will bring in a light manufacturing operation toward the rear of the property and retail/office space in the front. The building will be 20,000 sq. ft. in the initial phase with future buildouts.

Our attorney will complete the final P&S Agreement by Monday.

**MOTION:** To sell the parcel under the terms identified in the Purchase and Sale agreement.

## 9. New Business (1<sup>st</sup> Reading)

- a. Discuss the PAYT Bag Program (10 minutes) – Selectman Karytko requested this item be placed on the agenda. He would like to discuss what date should be used if residents at the June Town Meeting vote to discontinue the use of the blue and purple (PAYT) Town trash bags.

The initial timeline was for a July 1<sup>st</sup> effective date. To achieve this timeline, the Town should mail a letter in May informing the residents of the upcoming vote and projected bag pricing (if the bags are not eliminated). If the warrant article (to discontinue the use of the bags) is approved, I would recommend the effective date should remain July 1<sup>st</sup>.

**MOTION:** If the PAYT program is discontinued, the changes would be effective July 1, 2016.

- b. Discuss an Informal Facilitated Discussion on the Mousam River Dams Removal (5 minutes) – Mr. David Wayne, a resident of Kennebunk and a professional facilitator, has offered to meet with a limited number of representatives from the various groups involved with the river to identify common ground on the dams issue. Members of “Save the Mousam” and “Free the Mousam”, staff from the Town and KLPD, and a group of neutral Townspeople would be the focus. These sessions would not be binding to the Town, KLPD or any group.

Mr. Wayne will be in attendance to share the process with the Board.

**MOTION:** To send to a second reading.

- c. Discuss Boards and Committees (resignations/appointments, if any) (2-3 minutes)

- Accept the Following Resignation(s):

Lia Langeveld                      Downtown Committee – Alternate 2016

**MOTION:** To accept the resignation of Lia Langeveld from the Downtown Committee and send a letter thanking her for her service.

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

Robert C. Danzilo      River Committee      Vacancy: (1) Non-Resident, Joint Member  
w/ Kennebunkport (Regular 2019)

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

**MOTION:** To appoint Robert Danzilo to the River Committee’s Regular Non-Resident (Joint Member with Kennebunkport) position with a term expiring on June 30, 2019.

- d. 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. New Program – Board of Selectmen Outreach Sessions – This new program will begin on Saturday, March 19<sup>th</sup> and will be held on the 3<sup>rd</sup> floor of the Town Hall from 8:30 a.m. to 10:30 a.m. Future sessions will be held on the 3<sup>rd</sup> Saturday of each month, same location, same time.

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

Watch our website ([www.kennebunkmaine.us/calendars](http://www.kennebunkmaine.us/calendars)) for any changes in the schedule due to the weather, availability of Selectmen, etc.

- b. Information from the Town Clerk's office regarding the June 14<sup>th</sup> Election – Nomination papers will be available on March 28<sup>th</sup> for the following positions:

Board of Selectmen	(2) 3-year terms
RSU 21 Directors	(2) 3-year terms
Trustee KLP	(1) 3-year term
Trustee Sewer District	(2) 3-year terms

Beginning Monday, March 28<sup>th</sup>, nomination papers can be picked up in the Town Clerk's Office and must be returned by Monday, May 2<sup>nd</sup> by 4:30 p.m. A minimum of 25 signatures is required. FMI, please contact the Town Clerk's office at 604-1326.

- c. Gooch's Beach Makes National Geographic's "Ten Beaches to Visit Now" list! – Information is posted on our website at: [www.kennebunkmaine.us/news](http://www.kennebunkmaine.us/news). Check it out!

## 12. Executive Session(s)

- a. Discuss Pending Litigation with the Town Manager, Finance Director and Town Attorney - Title 1 MRSA Sec. 405(6)(E)

## 13. Adjournment