

TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, MAY 24, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidates for the new Committee on Aging:

Edward Trainer	Barbara Yates	Donna Curtis-Binette
Bevin Davies	Christina Bronzetti	Marti Hess-Pomber
S. Sassy Smallman	Susan LeBlanc Malley	(unable to attend interview)
Susan Pettit	Alice White	

Other Committee Considerations:

- Edward Trainer has attended all the Comprehensive Plan & Zoning Ordinance Update Committee meetings. The Committee would like to have him appointed to the committee as a Resident Representative.
- Sandy Tillman, one of the West Kennebunk community gardeners would like to become a Community Garden Committee “Associate Member”. The Community Garden Committee’s by-laws allows for this position. The Chairman, Leslie Lindgren, is requesting the Selectmen appoint her to this position. FYI, Ms. Tillman was a Community Garden Committee member in 2013 and is familiar with the committee’s mission.
- Thomas Wellman is interested in joining the Budget Board. He is unable to attend this meeting; however, the Board should be familiar with Tom Wellman, who is a former Selectman.

These three appointments will be taken up at the end of the meeting under Boards and Committees (resignations/appointments).

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. May 10, 2016 Regular Meeting

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

- a. Items as Presented

4. Public Hearing(s)

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

**Elio Qirushi d/b/a Toppings Pizza
located at 8 York Street
for a renewal Malt Liquor License**

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 Liquor License for Elio Qirushi d/b/a Toppings Pizza.

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

**M & J Resort Corp d/b/a Kings Port Inn
located at 18 Western Avenue
for a renewal Malt, Spirituous and Vinous Liquor License**

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 for M&J Resort Corp d/b/a Kings Port Inn.

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

**Merrilee and David Paul d/b/a 50 Local
for a renewal Malt, Spirituous and Vinous Liquor License
located at 50 Main Street**

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 for Merrilee and David Paul d/b/a 50 Local.

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

**Knight Co, LTD d/b/a Beach Dawgs Hot Dogs
located at 2 Harbor Lane
for a NEW Victualer License**

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

Fire Department: mobile vendor – inspected by the State; no local fire inspection required

Police Department: new license – nothing to report from police

MOTION: To approve the new Victualer License for Knight Co, LTD d/b/a Beach Dawgs Hot Dogs.

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

**Kylie Raymond d/b/a The Spirit Restaurant
located at 4 Harbor Lane
for a NEW Special Amusement permit**

**KYICK Charters, LLC d/b/a The Spirit Restaurant
located at 4 Harbor Lane
for a Victualer License**

**KYICK Charters, LLC d/b/a The Spirit Restaurant
located at 4 Harbor Lane
for a Malt Spirituous and Vinous Liquor License**

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

Fire Department and Code Enforcement Office: The Fire Chief's and Code Officers recommendation is to issue the licenses subject to the following: Code Enforcement Officer's issuance of all required permits and final inspection and Occupancy Permit issuance, as well as the Fire Department's Fire & Life Safety Inspection. We are in continued communication with the applicant and his architect to develop a plan to comply with all State and local codes.

Police Department: new license – nothing to report from police

MOTION: *To issue the above three licenses for The Spirit Restaurant subject to the following: Code Enforcement Officer's issuance of all required permits and final inspection and Occupancy Permit issuance, as well as the Fire Department's Fire & Life Safety Inspection.*

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

**The 2016 Annual Town Meeting Warrant
which includes the FY 2016-2017 Municipal Budget**

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

The Warrant is attached for your review.

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

- *The Warrant articles and Budget amounts cannot be changed.*
- *This public hearing is to answer questions the public may have.*
- *No vote is needed.*

- g. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to take public comment on a proposal to seek interim relief from the Maine Superior Court regarding the use(s) that may be made this summer of the so-called Marina Lot, located at or about 2 & 4 Doanes Wharf in the Lower Village. The purpose of seeking such interim relief from the Court is to allow some practical use(s) of the property for the summer of 2016 until the pending Superior Court appeal from the recent ZBA decision on the same is resolved.

Note: The discussion for this public hearing may be delayed until the arrival of the Town Attorney, at approximately 7:30 pm.

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5-10 minutes)

- a. Reminder – Upcoming Annual Town Meeting, Primary Election and RSU 21 Budget Validation Election:

Tuesday, June 14th from 6:00 a.m. to 8:00 p.m. in the Town Hall Auditorium

The Warrant for the Annual Town Meeting with backup documentation can be viewed in the Town Clerk’s Office and on our website (see election information in the center bar of our home page or check the homepage calendar for June 14th). The Warrant can be viewed, under Public Hearing #4f.

Absentee voting is now available. If you have any questions, please feel free to call the Town Clerk’s office at 985-2102 x 1326.

- b. Community Garden Committee Presentation (15 minutes) – Community Garden Chairperson Leslie Lindgren will be offering a brief update on the status of the community garden. The presentation will include a short history of the past seven growing seasons as well as on-going plans for the gardens.

7. Time Sensitive Business

- a. Appoint Members to the New Committee on Aging (5-7 minutes) – At the last meeting, the Board formed this new committee, which would begin to address the needs for Kennebunk’s senior residents. We advertised for volunteer committee members and potential members were interviewed at the beginning of the meeting. Those interested in being appointed to the committee are:

Edward Trainer	Barbara Yates	Donna Curtis-Binette
Bevin Davies	Christina Bronzetti	Marti Hess-Pomber
S. Sassy Smallman	Susan LeBlanc Malley	(unable to attend interview)
Susan Pettit	Alice White	

The Board should decide on how many members this committee would have. In addition to the residents who submitted their names for this committee, the committee may be aided by representatives from the Chamber of Commerce as well as Town staff representatives from Social Services, Planning, and the Police Department. All Town staff would serve as ex-officio members.

Our current committees range in size from three to eleven members. The majority of committees have five regular members and two alternate members, for a total of seven.

MOTION: To appoint the following ad hoc (ex-officio) members to the committee:

- Representative from the Chamber of Commerce
- Karen Winton, General Assistance Administrator
- Judy Bernstein, Town Planner
- Representative from the Police Department

MOTION: To set the number of committee members at ___ for the new Committee on Aging (excluding ad hoc members).

If it would help, the Board could be provided with a list of names (ballot) of those that submitted volunteer forms to aid them in voting. For example, if the Board sets the number of members at seven, the seven applicants with the most votes would serve on the committee. The voting would be

by secret ballot and only the top seven names would be read (not the votes received) or the Board could simply appoint all 10 volunteers to the committee.

MOTION: To appoint the following members to the new committee:

(method of choosing members to be decided at the meeting)

8. Old Business (2nd Reading)

- a. Discuss Amending the Parking Ordinance on High Street and Route One South (York Street) (5 minutes) – At the last meeting, the Board heard information on amending the parking ordinance to accommodate a 30-minute parking allowance for walk-in customers (in front of Cherie’s Bakery at 7 High Street). The enclosed map indicates additional potential 30-minute parking locations on Route One South/York Street beginning at the intersection of High Street/York Street up to Friend Street/York Street on the southwesterly side.

The current ordinance, with the proposed amendment, is as follows:

2-2 Limited Parking, 2-1

N) High Street: Parking on High Street from York Street to Friend Street (where designated) shall be limited to 2 hours between the hours of 8:00 AM and 6:00 PM: excluding the designated parking space at 7 High Street which shall be a 30-minute allowance.

The proposed amendment for Route One/York Street is as follows:

2-2 Limited Parking, 2-1

M) York Street: Beginning 50 ft. from the intersection of High Street and York Street heading southwesterly to Friend Street, parking shall be 30 minutes. Heading northeasterly on the opposite side of the street beginning at Friend Street to the intersection of High Street and York Street, the parking shall be limited to 2 hours between the hours of 8:00 AM and 6:00 PM.

MOTION: To send the proposed changes to a Public Hearing on June 14th.

- b. Discuss Amending the Policy for Placing Minutes on the Town’s Website (5-7 minutes) – At the previous meeting, the Board discussed modifying the current policy on “Placing Meeting Minutes on the Website”.

After further discussions at the last meeting, the proposed amendments are shown below:

Policy for Placing Meeting Minutes on the Town’s Website

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

All minutes for Town non-binding committees must be filed with the Town Clerk's office in their final form within ~~two weeks~~ 45 days of the ~~date of approval~~ original meeting date.

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

The full policy (with amendments) is attached.

MOTION: To amend the Policy for Placing Meeting Minutes on the Town's Website as shown above.

9. New Business (1st Reading)

- a. Update the Special Event Policy (5 minutes) – In reviewing the procedures for the special events held in Kennebunk and the process currently used for the collection of payment for Town services provided, I am recommending additional language be added to the policy for the pre-pay of any Town-required services.

The language added to page three of the policy would be as follows:

T. Should any road closure or Town department assistance be noted through the application process, the Town will require payment in advance for services of Police, Fire and Public Services (Public Works) based on the Town's estimate, before the permit will be issued.

With the weather getting nicer, special event applications are coming in quite rapidly; therefore, we would like to approve this minor change at this meeting.

MOTION: To update the Special Event Policy with the addition of item T (as noted above).

- b. Set the Date for the Committee Volunteer Appreciation BBQ – We have selected Wednesday, June 22nd as the date of the committee volunteer appreciate BBQ. This year's event will be held at the Waterhouse Center, beginning at 5:30 p.m. Invitations will be mailed shortly.

MOTION: To set the Date for the Committee Volunteer Appreciation BBQ for Wednesday, June 22nd.

- c. Discuss Upcoming Workshops (3-5 minutes)

1. At the next meeting (June 14th), the Board will be presented with the results of the portion of the recent survey for strategic planning. To move forward with the strategic planning process and include any newly elected officials, a 3.5 hour work session on Saturday, June 18th (from 8:30 a.m. to noon) is recommended. This would allow the new Selectman(men) to participate.

The Selectmen Outreach Session for June (to be held on June 18) will be canceled.

MOTION: To schedule a Workshop on Strategic Planning for Saturday, June 18th at 8:30 a.m.

2. To set a workshop to discuss the TIF program on Tuesday, June 21st. Items to be discussed include valuation changes from inception, boundary examination, long-term project prioritization, and income projections.

MOTION: To schedule a Workshop for Tuesday, June 21st at 6:30 p.m. for a Workshop on TIFs.

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

- **Accept the Following Resignation(s):**

- Kathryn Susan Leathers, Dog Advisory Committee (no term)

MOTION: To accept the resignation of Kathryn Susan Leathers from the Dog Advisory Committee and send a letter thanking her for her service.

- **Appointment of Residents for various committees:**

- Edward Trainer
Comprehensive Plan & Zoning Ordinance Update Committee as a Resident Rep. (no term)
- Sandy Tillman
Community Garden Committee “Associate Member” (no term)
- Thomas Wellman
Budget Board (Regular 2018)

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

MOTION: To appoint Edward Trainer as a Resident Representative (no term) on the Comprehensive Plan & Zoning Ordinance Update Committee as a Resident Representative.

MOTION: To appoint Sandy Tillman as an Associate Member (no term) on the Community Garden Committee.

MOTION: To appoint Thomas Wellman as a Regular Member on the Budget Board with a term expiring in 2018.

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

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

- b. **Monday, May 30 – Memorial Day Parade 2:00 pm – Main Street**
Veterans Appreciation Concert (after parade, approx. 3:00 pm) –Waterhouse Center (all are welcome!)

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

- c. **Tuesday, May 31 – Survey Deadline**

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

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

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

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

12. Executive Session(s)

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

13. Adjournment