

**TOWN OF KENNEBUNK**  
**BOARD OF SELECTMEN MINUTES**  
**MARCH 8, 2016 – 6:15 P.M.**

**SPECIAL MEETING**

**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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The Candidate appeared before the Board and answered questions pertaining to background and history. Danzilo explained his interest in the committee, which includes his concerns with the traffic on the river. The Vice-Chair explained all appointments will be announced at the end of the meeting and he will be contacted with the decision.

**REGULAR MEETING**

**1. CALL TO ORDER**

On March 8, 2016, at 6:30 p.m., in Room 301 of the Town Hall, Richard Morin, Vice-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 Richard Morin, Edward Karytko, Christopher Cluff, Shiloh Schulte and Deborah Beal. Absent were Kevin Donovan and Daniel Boothby.

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

**2. MINUTES**

**a. February 23, 2016 Regular Meeting**

**Budget Meetings**

- 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)**

The Vice-Chair announced the items and asked for Town/Board input. Karytko commented on the brevity of the Budget Minutes. Tibbetts explained the Minutes are in abbreviated form.

**A motion was made to accept the Minutes of the February 23, 2016 Regular meeting and all Budget meetings presented.**

<b>MOVED:</b>	Cluff
<b>SECONDED:</b>	Schulte
<b>MODIFICATIONS:</b>	None
<b>VOTE:</b>	5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair proceeded to the next item.

**3. ITEMS TO BE SIGNED**

- a. Items as Presented have been signed.

The Vice-Chair proceeded to the next item.

**4. PUBLIC HEARING(S)**

- a. The Vice-Chair opened 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.*

**A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application for SUPHAB, Inc. d/b/a Mekhong Thai Restaurant.**

**MOVED:** Karytko

**SECONDED:** Cluff

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

- b. The Vice-Chair opened 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.*

There were no public comments.

**A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application for Sebago Brewing Company, d/b/a Sebago Brewing Company.**

**MOVED:** Cluff

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

c. The Vice-Chair opened 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.*

There were no public comments.

**A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application for Richard Taranto d/b/a Old Vines LLC.**

**MOVED:** Schulte  
**SECONDED:** Karytko  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

d. The Vice-Chair opened 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.*

There were no public comments.

**A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application for Joseph Ryan d/b/a Ryan's Corner House.**

**MOVED:** Karytko  
**SECONDED:** Cluff  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

e. The Vice-Chair opened 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.*

There were no public comments.

**A motion was made to approve the renewal Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit for Denise Rubin d/b/a On The Marsh.**

**MOVED:** Cluff

**SECONDED:** Schulte

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

f. The Vice-Chair opened 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.*

There were no public comments.

**A motion was made to approve the renewal Malt and Vinous Liquor License Application for J. Steven Kingston d/b/a The Clam Shack pending final inspection and approval by the Fire Chief.**

**MOVED:** Schulte

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

g. The Vice-Chair opened 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.

DISCUSSION:

Matt Eddy, Economic Development Director, explained the grant application process and the Letters of Intent were approved. The next step is the application process. Eddy is working out the figures and working with the Varanos, owners of Fire N Brew, to develop the manufacturing facility for Hidden Cove Brewery of Wells. There has been no site chosen at this time.

Resident Lionel Menard is concerned because the Kennebunk Sewer Department has not given their plan and does not believe the Town's current sewer system can handle a manufacturing business such as this. Eddy explained that the business would still be required to go through the Planning Board and Site Plan Review Board process for approval. Karytko expressed his concern of adding industries that will take the place of new homes because of the Town's sewer system, especially since the Town is spending money on the schools. Schulte agreed that they need to look at possible expansion of homes instead of businesses. Eddy stated that if the grant is approved, the Board will need to vote to accept.

Resident Myra Sparkowich asked how many the company will be employing. Eddy replied 8-11 new employees.

h. The Vice-Chair opened 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.

DISCUSSION:

Eddy stated this would benefit the businesses listed above by helping them make improvements. He further explained that the owners will put in amounts of their own. The grant would cover façade improvements as well. Schulte asked how the businesses were identified. Eddy explained they needed to prove need in a proforma and where they are financially. Conversation ensued regarding private businesses using grants. Schulte explained it is a State of Maine grant and if the Town does not apply, the money will go to another town. Improvements will add to our community.

Resident Lionel Menard does not agree with giving money away for this type of business. Resident Diane Denk reminded the Board of the importance of the businesses and requested they think outside the box.

i. The Vice-Chair opened 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.

DISCUSSION:

Eddy explained Gymnation needs to relocate because of the Sewer District's expansion on Water Street. He further explained that their numbers are solid and the process was based on a detailed analysis. Gymnation's gap is \$150,000 and the Town does not want to lose the business because it brings many people to the community. Schulte mentioned his children go to Gymnation and he has been happy with them. He would need to recuse himself if there were a vote. Karytko mentioned that he is not questioning the value of the business, just where the money comes from and where it goes.

The Vice-Chair moved to the next item.

**5. PUBLIC COMMENTS**

Resident Myra Sparkowich mentioned fixing a business's façade would put someone to work. The Mousam River has been used for years for irrigation on crops and has many other uses, therefore, she is opposed of taking the dams out. For the potential plastic bag issue, she would like to educate the children to find a way to use those bags instead of charging 5 cents a bag.

Resident Diane Denk discussed the Democratic caucus. She acknowledged Merton Brown, Town Clerk, and Mary Lou Nedeau for their efforts at the caucus. There were 275 new registers to vote and thanked the public for registering. Brown and Nedeau managed the work in a friendly manner.

Resident Lionel Menard asked about the date for the formal dam review meeting and a date for the formal sewer review. Tibbetts will ask the Sewer District of their timeline. Menard hopes the Board could facilitate the meeting because it would be useful for people to understand.

Merton Brown, Town Clerk, has spoken with Todd Shea, from Kennebunk Light and Power, and there is a meeting scheduled here on March 29<sup>th</sup> to discuss the Wright Pierce Report, which is part of KLPD's regular meeting. KLPD is restricting public comments to 15 minutes. Brown has not heard about a meeting from the Sewer District. There are two open selectmen positions, two open school board positions, one open KLPD position and two Sewer District. Nomination papers are available on March 28<sup>th</sup> at the Town Clerk's office and are due back May 2<sup>nd</sup>. There is a requirement is 25 signatures but no more than 100. Brown thanked Diane Denk for her comments. He mentioned that he has never experienced such angry people as he did at the caucus. Karytko thanked Brown on behalf of the Republicans and agrees with Denk that it is a thankless job.

The Vice-Chair moved to the next item.

**6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS**

- 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.

There were no public comments.

**A motion was made to accept the donation from the Patriot Riders of America-Maine Chapter One and send a letter thanking them for the generous donation.**

**MOVED:** Schulte

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 4 in favor, 1 recused (Beal), 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

- 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!

There were no public comments.

**A motion was made to accept the grant in the amount of \$860.60 from the Kitchen Gardeners International/SeedMoney organizations.**

**MOVED:** Karytko

**SECONDED:** Cluff

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

7. **TIME SENSITIVE BUSINESS** - NONE

The Vice-Chair moved to the next item.

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 – 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 was included in the Board packet for your review.

**DISCUSSION:**

Tibbetts explained the history of the proposed ordinance and that it bans single use plastic bags that have integral handles. Exceptions are thinner bags used for items such as meat or vegetables. The Board of Selectmen can set a fee and enforce it if a business does not comply.

Morin was disappointed that Styrofoam was not included in the ordinance. Tibbetts explained that the Committee did discuss it and plan to come back at a later date.

Residents requested the ordinance not be modified and include an exclusion for businesses that are 5,000 sq. ft or less.

Resident Arlene Poisson stated that she has sent letters to Dunkin Donuts and McDonalds requesting discontinuing using Styrofoam. She did learn people can request no Styrofoam when they order.

**A motion was made to send the proposed ordinance to a second reading.**

**MOVED:** Karytko

**SECONDED:** Cluff

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

- b. Discuss the Sale of the Route One South (Rest Area) Property – 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 warrant article that was included in the Board packet).

One proposal was received in response to the 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 P&S agreement that was included in the Board packet) 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 build outs.

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

DISCUSSION:

Eddy explained he has been working with Benjamin Meggs, who has a background in the shipbuilding industry. Meggs is looking at various options for the front of property. The commercial piece is rigging small boats that serve large yachts.

Benjamin Meggs described the businesses he is looking at for the front of the property. He explained his business, which is rigging lightweight boats out for mother ships.

There were no public comments.

**A motion was made to sell the parcel under the terms identified in the Purchase and Sale agreement.**

**MOVED:** Cluff

**SECONDED:** Schulte

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

**9. NEW BUSINESS (1<sup>ST</sup> READING)**

- a. Discuss the PAYT Bag Program – 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 remain July 1<sup>st</sup>.

DISCUSSION:

Karytko explained he added this to tonight's agenda because he had been asked about the timeframe if the bags were discontinued. Tibbetts stated there is concern how the information would be announced. Tibbetts further explained if the bags are discontinued, it is best fiscally to have an effective date of July 1<sup>st</sup> and waiting longer will discourage people from buying bags. Tibbetts will send a letter explaining the issue in mid-May. Discussion ensued regarding covering the current deficit and the projected costs over the next year. Board members discussed alternative fee options such as lift and weight fees. The potential consequence of discontinuing bags would be an increase in the mil rate. Morin suggested a multiple question on the ballot of eliminating the bags along with an alternative option.

Arlene Poisson stated that she does not have any problems buying the trash bags and having the trash as a homeowner and rental owner. She reminded the Board not to assume people will vote to discontinue them.

**A motion was made that if the PAYT program is discontinued, the changes would be effective July 1, 2016.**

**MOVED:** Karytko  
**SECONDED:** Cluff  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

- b. Discuss an Informal Facilitated Discussion on the Mousam River Dams Removal – 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.

DISCUSSION:

David Wayne came to the podium and explained the reasons he approached the Town and the members of the Save the Mousam and Free the Mousam. Wayne described his background and believes a sit down meeting would be beneficial and enable people to look at the alternatives that are available. Wayne feels timing is an issue and the meeting should wait until KPLD makes their decision Wayne is not mediating, he is facilitating the meeting. Cluff asked how Wayne envisions the process. Wayne replied that it would be a 2-hour session with clear ground rules and he requested members who will attend have experience in areas, such as financial. Schulte explained the Town did reach out to meet with KPLD in a public setting but they declined. Schulte is concerned with the number of people who will attend. Wayne explained it will be a small number and will not be public but may be recorded.

There were no public comments.

**A motion was made to set up the facilitated discussion with David Wayne with a mutually agreeable time.**

**MOVED:** Cluff  
**SECONDED:** Beal  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

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

- Accept the Following Resignation(s):

Lia Langeveld

Downtown Committee – Alternate 2016

**A motion was made to accept the resignation of Lia Langeveld from the Downtown Committee and send a letter thanking her for her service.**

**MOVED:** Cluff

**SECONDED:** Karytko

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

- 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)

**A motion was made 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.**

**MOVED:** Karytko

**SECONDED:** Schulte

**MODIFICATIONS:** None

**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

The Vice-Chair moved to the next item.

d. Discuss Any Other Business

It was decided that the quarterly review for the Town Manager will take place on March 22<sup>nd</sup> at the Selectmen's meeting.

The Vice-Chair moved to the next item.

**10. SELECTMEN'S COMMENTS**

a. Subcommittee Reports

The Ordinance Committee has met regarding the plastic shopping bag ordinance, which was an item on tonight's agenda.

b. Individual Selectmen Comments

Selectman Beal

- None

Selectman Schulte

- Sad to see the skating rink close for the season.

Selectman Karytko

- Mat Lanigan Bridge Project – Attended the last meeting and the poll for colors choices was so close that another poll will be taken. Items are on schedule.
- West Kennebunk Lights and Banner – thanked Chris Osterrieder, Town Engineer, for his explanation of the problems with the banners. The flags will be positioned in front and banners in the rear.

- Site Plan Review – the last meeting was productive.
- School Board Meeting – a resolution was made to allow Arundel students attending Thorton Academy Middle School to remain. The will allow next year’s 5<sup>th</sup> graders to go to their choice. After, students will be required to attend KMS. Students attending high school will be allowed to choose as usual.
- Happy St. Patty’s Day.
- Thanked Joel Downs for his help with a document on the computer.
- Asked if the ZBA hearings will be televised. Tibbetts informed him that ZBA is planning to discuss this at their next meeting.
- Everyone needs to recycle if the PAYT bag system is discontinued. This will keep the tax mil rate down.

Selectman Cluff

- Attended briefly an Economic Development Committee meeting. The Committee is working on formulating TIF strategies and priorities.

Selectman Morin

- Attended a Lower Village Committee meeting on Monday and asked to include the Board Selectmen to the broadcast of the Chamber.

**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)

**A motion was made to go into Executive Session at 8:40 pm to discuss Pending Litigation.**

**MOVED:** Cluff  
**SECONDED:** Schulte  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 absent (Donovan, Boothby). The motion carried.

Upon coming out of executive session, the Board had nothing to report.

After coming out of executive session, the Town Manager requested to be allowed to exercise his ability to purchase (MainePERS) services rendered with the Town of Casco. This cost would be at the Manager's expense. After a brief discussion, the Board voted the following:

**A motion was made to allow Barry Tibbetts to purchase 100% of the cost for previous service rendered with the Town of Casco within the MainePERS program.**

**MOVED:** Schulte  
**SECONDED:** Cluff  
**DISCUSSION:** As Noted  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 opposed. The motion carried.

**13. ADJOURNMENT**

**A motion was made to adjourn the meeting at 9:47 p.m.**

**MOVED:** Schulte  
**SECONDED:** Cluff  
**DISCUSSION:** As Noted  
**MODIFICATIONS:** None  
**VOTE:** 5 in favor, 2 opposed. The motion carried.

  
Deborah Beal, Secretary  
Kennebunk Board of Selectmen

Minutes Approved: \_\_\_\_\_

3/22/16