

**Board of Selectmen Meeting  
Village Fire Station – 32 North Street  
April 12, 2018 – 6:00 PM**

Minutes of the Selectmen's Meeting of April 12, 2018

**Selectmen Attending:** Stuart Barwise, Patrick A. Briggs, Edward Hutchins

**Selectmen Absent:** Sheila Matthews-Bull, Allen Daggett

**Others:** Barbara Barwise, Jim Burrows, Michael Claus, Carol Cook, Michael Davis, Brendan Donovan, George Dow, Sharon Eon, John Everett, Linda Flint, Noel Graydon, Werner Gilliam, Susan Hill, David James, Bill Junker, Scott Lantagne, Michelle Martel, Jim McMann, Arlene McMurray, Henry Mobley, Heather Motes, Annette Quezade, Bob Sherman, Carol Sherman, Freeland K. Smith, Laurie Smith, Dick Stedman, Chris Welch, Andrew Welch, and others.

**1. Call to Order.**

Chair Briggs called the meeting to order at 6:02 PM.

**2. Approve the March 20, and 22, 2018, selectmen meeting minutes.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the March 20, and 22, 2018, selectmen meeting minutes. **Vote:** 3-0.

**3. Confirmation of Fire Chief John C. Everett.**

Town Manager Laurie Smith introduced new Fire Chief John Everett and thanked the District Fire Chiefs who helped. Mr. Everett was pinned by Jim Burrows and Noel Graydon. He thanked everyone for their support.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to confirm the appointment of John C. Everett as fire chief and fire inspector. **Vote:** 3-0.

**4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.).**

There were no comments.

**5. Consider a renewal liquor license application submitted by the Seaside Hotel Association, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.**

Chair Briggs announced that all liquor licenses were inspected and approved by the police chief, fire inspector, and code enforcement officer.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the

renewal liquor license application submitted by the Seaside Hotel Association, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue. **Vote:** 3-0.

**6. Consider a renewal special amusement permit application submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal special amusement permit application submitted by the Tina Hewett-Gordon, Seaside Hotel Association, L.T.D., DBA Nonantum Resort, 95 Ocean Avenue. **Vote:** 3-0.

**7. Consider a renewal liquor license application submitted by Nunan's Lobster Hut, Inc., 9 Mills Road**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by Nunan's Lobster Hut, Inc., 9 Mills Road. **Vote:** 3-0.

**8. Consider a renewal liquor license application submitted by Mabels, Inc., DBA Mabels Lobster Claw, 124 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by Mabels, Inc., DBA Mabels Lobster Claw, 124 Ocean Avenue. **Vote:** 3-0.

**9. Consider a renewal liquor license application submitted by Alisson's/Docksquare, LTD, DBA Alisson's Restaurant, 11 Dock Square.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by Alisson's/Docksquare, LTD, DBA Alisson's Restaurant, 11 Dock Square. **Vote:** 3-0.

**10. Consider a renewal special amusement permit application submitted by Alisson's/Docksquare, LTD, DBA Alisson's Restaurant, 11 Dock Square.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal special amusement permit application submitted by Alisson's/Docksquare, LTD, DBA Alisson's Restaurant, 11 Dock Square. **Vote:** 3-0.

**11. Consider a renewal liquor license application submitted by SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal liquor license application submitted by SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue. **Vote:** 3-0.

**12. Consider a renewal special amusement permit application submitted by SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the renewal special amusement permit application submitted by SBJC, LLC, DBA Bandaloop, 2 Ocean Avenue. **Vote:** 3-0.

**13. Consider a renewal liquor license application submitted by OWR, LLC/Kathleen Spang, DBA Oceanwoods Resort/PJ's Pub & Dining, 71 Dyke Road.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the a renewal liquor license application submitted by OWR, LLC/Kathleen Spang, DBA Oceanwoods Resort/PJ's Pub & Dining, 71 Dyke Road. **Vote:** 3-0.

**14. Consider a special amusement permit application submitted by OWR, LLC/Kathleen Spang, DBA Oceanwoods Resort/PJ's Pub & Dining, 71 Dyke Road.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the special amusement permit application submitted by OWR, LLC/Kathleen Spang, DBA Oceanwoods Resort/PJ's Pub & Dining, 71 Dyke Road. **Vote:** 3-0.

**15. Consider Games of Chance license application for fundraising Casino Night sponsored by Education Foundation of the Kennebunks and Arundel held at the Nonantum Resort.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Games of Chance license application for fundraising Casino Night sponsored by Education Foundation of the Kennebunks and Arundel held at the Nonantum Resort. **Vote:** 3-0.

**16. Authorize and sign the June 2018 Town Meeting Warrant.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to authorize and sign the June 2018 Town Meeting Warrant. **Vote:** 3-0.

**17. Set public hearing date to consider the warrant articles for the June Town Meeting Ballot for May 10, 2018.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the public hearing date of May 10, 2018, to consider the warrant articles for the June Town Meeting Ballot. **Vote:** 3-0.

**18. Countersign the RSU 21 Budget Validation Referendum Election Warrant.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to countersign the RSU 21 Budget Validation Referendum Election Warrant. **Vote:** 3-0.

**19. Consider Resolution of Intent to Reimburse Expenditures for the Construction of the Parks and Recreation Building with the Proceeds of Tax-Exempt Bonds.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Resolution of Intent to Reimburse Expenditures for the Construction of the Parks and Recreation Building with the Proceeds of Tax-Exempt Bonds. **Vote:** 3-0.

See Exhibit A.

**20. Review of Town Attorney's response to letter regarding Kings Highway addressing.**

Ms. Smith explained that this item was discussed at a previous meeting. Kings Highway resident Brendan Donovan disagrees with renumbering Kings Highway and finds it a huge inconvenience for residents to change their address on everything. He requested that she get the town counsel's opinion. As a result, the Town Attorney reviewed the information and responded that the Town has the authority to renumber Kings Highway to comply with the State's E-911 addressing standards as long as those standards don't conflict with its Street Ordinance. It is lawful and the Town's responsibility to reduce the chance of error in responding to emergency calls.

Mr. Donovan said the Board should wait until more residents from Kings Highway are back in town for the summer. He said homeowners were not given enough opportunity to respond to these changes. He stated the Board should look at renumbering Ocean Avenue.

Board members added that they had to go through address changes and did not find it to be much of a problem. They explained that other streets will need to have address corrections also. Kings Highway is the just the first. Not renumbering the street would put people at risk.

Chair Briggs added that the Town is following state guidelines and does not have any other options. He said the Board considered Mr. Donovan's views, but must go through with this.

**21. Consideration of joint animal control officer with the Town of Kennebunk.**

Ms. Smith reported that David Conway is resigning, and she found that the call volume for his service was not enough to support a full-time animal control officer position. She spoke with the Town of Kennebunk, and they agreed to have a 6-

month trial period sharing Kennebunk's animal control officer.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to expend the funds to share the animal control officer with the Town of Kennebunk for a 6-month period. **Vote:** 3-0.

**22. Consider Goose Rocks Beach Advisory Committee's recommendation to expend \$3,000 for a plover volunteer coordinator position.**

**Motion** by Selectman Hutchins seconded by Selectman Barwise, to expend \$3,000 for a plover volunteer coordinator position. **Vote:** 3-0.

**23. Goose Rocks Beach Advisory Committee recommendation to place speed bumps on New Biddeford Road.**

Bob Sherman of the Goose Rocks Beach Advisory Committee reported that the Committee voted to recommend some level of speed bumps be placed on New Biddeford Road to slow traffic. He said the neighbors from New Biddeford Road where the speed limit is 30 mph have reported experiencing traffic at high speed and that Binnacle Hill will likely cause increased traffic.

Highway Superintendent Michael Claus said highway can put them in but must be careful how they do it. They need to talk to emergency services first. He said he can purchase them from Traffic Logyx. They make speed bumps, humps, and cushions, and he will work with the Beach Advisory Committee to figure out which product they should use.

Ms. Smith said they can come back at a future meeting with their recommendations.

**24. Consider appointments for the Short-Term Rental Housing Committee.**

There were 19 applicants for the Short-Term Rental Housing Committee.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to appoint the following to the Short-Term Rental Housing Committee for a 9-month term:

Renters: David Nesher and Linda Flint; GRB residents: William Junker and Susan Hill; roomers – Marlene Raum; citizens Ann Hand and Jane Evelyn; and Selectmen Representative and Inn/B&B owner Sheila Matthews-Bull. **Vote:** 3-0.

**25. Consider authorization to proceed with seawall and culvert outlet repairs on Ocean Avenue.**

Highway Superintendent Michael Claus proposes to hire George Burr to repair the damaged areas of the seawall on Ocean Avenue near Haverhill Avenue caused by the March 2018 coastal flooding.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to move forward with the seawall and culvert outlet repairs on Ocean Avenue by hiring George Burr for the price of up to \$10,500. **Vote:** 3-0.

**26. Approve the Treasurer's Disbursement Warrant Policy.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Treasurer's Disbursement Warrant Policy. **Vote:** 3-0.

**27. Consider Government Wharf budget.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Government Wharf budget. **Vote:** 3-0.

**28. Consider Wastewater budget.**

Michael Claus explained the increases in salary and heating fuel in the Wastewater budget.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Wastewater budget. **Vote:** 3-0.

**29. Consider Pier budget.**

Ms. Smith explained that the total expense for the Pier budget is \$295,642.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Pier budget. **Vote:** 3-0.

**30. Consider Dock Square Parking Lot budget.**

Ms. Smith said the total revenue for the Dock Square Parking Lot is \$400,000, and total expenditures are \$356,877.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Dock Square Parking Lot budget. **Vote:** 3-0.

**31. Consider Recreation Special Revenue Budget.**

Ms. Smith explained this is the first year of the recreation special revenue budget. Revenues of \$205,451 and expenses of \$125,451 are anticipated. The \$80,000 balance will be transferred to the general fund.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the Recreation Special Revenue budget. **Vote:** 3-0.

**32. Consider invitation to judge the KCS Amazing Shake Contest on May 2.**

Ms. Smith announced that Selectmen Barwise has agreed to represent the Board as a judge in the KCS Amazing Shake Contest. Students were taught how to socially interact with others and present themselves, and this contest will determine how well they have learned social etiquette.

**33. Accept \$50 donation from Edwin Briggs to the public health nurses general account.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to accept a \$50 donation from Edwin Briggs to the public health nurses general account. **Vote:** 3-0.

**34. Authorize the Town Manager to sign the Animal Shelter Agreement.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to authorize the Town Manager to sign the Animal Shelter Agreement. **Vote:** 3-0.

**35. Other business.**

Ms. Smith announced that the town offices will be closed on Monday to observe Patriots' Day.

Barbara Barwise thanked the highway crew for cleaning up the beach that was damaged in the storm.

**36. Approve the April 12, 2018, Treasurer's Warrant.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the April 12, 2018, Treasurer's Warrant. **Vote:** 3-0.

**37. Adjournment.**

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to adjourn. **Vote:** 3-0.

The meeting adjourned at 7:05 PM.

Submitted by Arlene McMurray  
Administrative Assistant

## Exhibit A - April 12, 2018

April 12, 2018

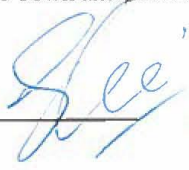
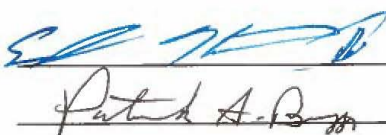
Motion: I move that the resolution entitled, "Resolution of Intent to Reimburse Expenditures for the Construction of the Parks and Recreation Building with Proceeds of Tax-Exempt Bonds," be adopted in form presented to this meeting and that an attested copy of said Vote be filed with the minutes of this meeting.

**RESOLUTION OF INTENT TO REIMBURSE EXPENDITURES FOR THE  
CONSTRUCTION OF THE PARKS AND RECREATION BUILDING WITH  
PROCEEDS OF TAX-EXEMPT BONDS**

Whereas, pursuant to section 5772 of Title 30-A of the Maine Revised Statutes and approval by the voters of the Town of Article 40 at the Annual Town Meeting duly called and held on June 17, 2017, the Board of Selectmen are authorized to issue general obligation bonds in an amount not to exceed \$450,000.00 and notes in anticipation thereof (collectively, the "Bonds"), to fund the Construction of the Parks and Recreation Building (the "Project");

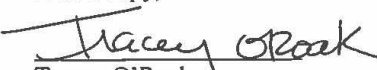
Now, therefore, the Board of Selectmen hereby resolves and declares its official intent pursuant to Section 1.150-2(e) of the Treasury Regulations that the Town of Kennebunkport (the "Town") reasonably expects to use the proceeds of the Bonds to reimburse certain original expenditures from the Town's general or other fund, paid not earlier than 60 days prior to adoption of this Resolution or to be paid, which original expenditures have been or will be incurred in connection with costs of the Project; and that the Town reasonably expects that the maximum principal amount that the Town will issue to finance the Project is \$450,000.00; and further that an attested copy of this resolution and declaration of official intent be kept in the permanent records of the Town and be reasonably available for public inspection.

Dated: April 12, 2018:

  
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\_\_\_\_\_  
Patrick A. B...

\_\_\_\_\_  
A majority of the Board of Selectmen

A true copy, attest:

  
\_\_\_\_\_  
Tracey O'Roak

Town Clerk

(Town Clerk to file an attested copy of this Resolution with the meeting minutes)