

**Town of Kennebunkport  
Board of Selectmen's Meeting  
April 25, 2013  
Village Fire Station, 32 North St.—7 PM**

Minutes of the Selectmen Meeting of April 25, 2013

**Selectmen present:** Stuart E. Barwise, Sheila Matthews-Bull, Allen A. Daggett, Edward W. Hutchins, and D. Michael Weston

**Others present** Ralph Austin, Paul Cadigan, Michael Davis, April Dufoe, Jules Gerrish, Werner Gilliam, Tim Harrington, Marie Henriksen, David James, Ben Leoni, Arlene McMurray, Larry S. Mead, Allan Moir, Bob Sherman, Amy Tchao, and others

**1. Call to Order.**

Chair Matthews-Bull called the meeting to order at 7:02 P.M.

**2. Approve the April 11, 2013, selectmen meeting minutes.**

**Motion** by Selectman Daggett, seconded by Selectman Barwise, to approve the April 11, 2013, meeting minutes. **Vote:** 4-0-1/Selectman Weston abstained because he was not present at that meeting.

**3. 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).**

Town Clerk April Dufoe announced the District Budget Meeting held on April 30 has changed its location to the Kennebunk Elementary School gymnasium. The meeting starts at 7 PM, to vote on the proposed RSU #21 budget. She said absentee ballots will be available the next day for the budget validation vote for the RSU #21 proposed budget for 2013-2013 approved by the voters on April 30. Voting will occur at the Village Fire Station on May 14, from 8 A.M. to 8 P.M. Annual Reports for the RSU #21 are available at the Town Hall, Graves Library, Kennebunkport Post Office, Atlantic Hall, and Goose Rocks Beach Fire Station.

**4. Consider a renewal liquor license application submitted by JCL Inc., DBA Lucas on 9, 62 Mills Road.**

**Motion** by Selectman Barwise, seconded by Selectman Daggett, to approve the renewal liquor license application submitted by JCL Inc., DBA Lucas on 9, 62 Mills Road. **Vote:** 5-0.

**5. Consider a renewal liquor license application submitted by MacDonald Management, Inc., DBA Hurricane Restaurant, 29 Dock Square.**

**Motion** by Selectman Barwise, seconded by Selectman Daggett, to approve the renewal liquor license application submitted by MacDonald Management, Inc., DBA Hurricane Restaurant, 29 Dock Square. **Vote:** 5-0.

**6. Consider a renewal special amusement permit submitted by Brooks F. MacDonald, DBA Hurricane Restaurant, 29 Dock Square.**

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve the renewal special amusement permit submitted by Brooks F. MacDonald, DBA Hurricane Restaurant, 29 Dock Square. **Vote:** 5-0.

**7. Public Hearing to consider a new application for a liquor license submitted by Boathouse of Kennebunkport, LLC DBA The Boathouse Hotel and Marina, 21 Ocean Avenue.**

Chair Matthews-Bull opened the public hearing at 7:09 PM to discuss the new liquor license application submitted by the Boathouse of Kennebunkport. Hearing no comments, she closed the public hearing at 7:09 PM.

**Motion** by Selectman Barwise, seconded by Selectman Daggett, to approve the new application for a liquor license submitted by Boathouse of Kennebunkport, LLC DBA The Boathouse Hotel and Marina, 21 Ocean Avenue, pending completion of any state or local inspections. **Vote:** 5-0.

**8. Public Hearing to consider a new application for a special amusement Permit submitted by Debra Lennon DBA The Boathouse Hotel and Marina, 21 Ocean Avenue.**

Chair Matthews-Bull opened the public hearing at 7:10 PM to discuss the new application for a special amusement permit submitted by Debra Lennon DBA The Boathouse Hotel and Marina. Hearing no comments, she closed the public hearing at 7:10 PM.

**Motion** by Selectman Barwise, seconded by Selectman Daggett, to approve the new application for a special amusement permit submitted by Debra Lennon DBA The Boathouse Hotel and Marina, 21 Ocean Avenue pending completion of any state or local inspections. **Vote:** 5-0.

**9. Public Hearing to consider a new application for a liquor license submitted by Debra Lennon, DBA Cape Arundel Inn, 208 Ocean Avenue.**

Chair Matthews-Bull opened the public hearing at 7:11 P.M. to discuss the new application for a liquor license submitted by Debra Lennon for Cape Arundel Inn at 7:11 PM. Hearing no comments, she closed the public hearing at 7:11 PM.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve the new application for a liquor license submitted by Debra Lennon, DBA Cape Arundel Inn, 208 Ocean Avenue. **Vote:** 5-0.

**10. Public Hearing to consider a new special amusement permit submitted by Debra Lennon, DBA Cape Arundel Inn, 208 Ocean Avenue.**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the new special amusement permit submitted by Debra Lennon, DBA Cape Arundel Inn, 208 Ocean Avenue. **Vote:** 5-0.

**11. Consider a renewal application for a liquor license submitted by Cove-side Resort, LLC., Inc., DBA The Village Cove Inn, 29 South Main Street.**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the renewal application for a liquor license submitted by Coveside Resort, LLC., Inc., DBA The Village Cove Inn, 29 South Main Street. **Vote:** 5-0.

**12. Consider a renewal special amusement permit application submitted by Debra Lennon, DBA The Village Cove Inn/Lodge on the Cove, 29 South Main Street.**

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve the renewal special amusement permit application submitted by Debra Lennon, DBA The Village Cove Inn/Lodge on the Cove, 29 South Main Street. **Vote:** 5-0.

**13. Public Hearing to consider sewer appeal for property located on Bellewood Avenue, (Map 34, Block 5, Lot 7), property owner Paul W. Cadigan.**

Chair Matthews-Bull opened the public hearing at 7:13 PM to discuss a sewer appeal for property owner Paul Cadigan.

Mr. Cadigan was present to answer any questions from the Board. He said he followed the necessary requirements to get the permit.

Sewer Superintendent Allan Moir said he has no objections to grant the permit, but the Ordinance requires Board of Selectmen approval.

Chair Matthews-Bull closed the public hearing at 7:14 PM.

**Motion** by Selectman Hutchins, seconded by Selectman Barwise, to approve the sewer connection for Paul Cadigan (Map 34, Block 5, Lot 7). **Vote:** 5-0.

**14. Finalize and sign the June 2013 Town Meeting Warrant.**

Items 14 and 15 were addressed after item 21.

**Motion** by Selectman Barwise, seconded by Selectman Daggett to modify the June 2013 Town Meeting Warrant by tabling Question 2 Supplemental Beach Ordinance. **Vote:** 5-0.

Ben Leoni, attorney for Curtis Thaxter, the plaintiff's attorney, thanked the Board for addressing their concerns and tabling this item.

**15. Set date for a public hearing to consider the warrant articles for the June Town Meeting ballot.**

**Motion** by Selectman Daggett, seconded by Selectman Barwise, to set date for a public hearing to consider the warrant articles for the June Town Meeting ballot for May 23, 2013. **Vote:** 5-0.

**16. Order to countersign the RSU #21 Budget Validation Warrant.**

This item was addressed after item 13.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to counter-sign the RSU #21 Budget Validation Warrant. **Vote:** 5-0.

**17. Appoint Werner Gilliam, Town Planner, as department head of the Assessing Department.**

Town Manager Larry Mead said he wanted to recognize Werner Gilliam's accomplishments and contributions to the Assessing and Planning Departments.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to appoint Werner Gilliam, Town Planner, as department head of the Assessing Department. **Vote:** 5-0.

**18. Review fiscal year 2014 Wastewater Department budget.**

Sewer Superintendent Allan Moir reported that the sewer budget stayed flat with no increases from the last fiscal year.

**Motion** by Selectman Barwise, seconded by Selectman Hutchins, to approve the fiscal year 2014 Wastewater Department budget. **Vote:** 5-0.

**19. Other business.**

Mr. Mead announced that the Dock Square parking lot will be open on week-

ends beginning May 10. There will be free parking on May 27, Memorial Day and the lot will reopen daily for the season through October 31. Parking lot passes have been mailed to property owners.

**20. Consider the April 25, 2013, Treasurer's Warrant.**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the April 25, 2013, Treasurer's Warrant. **Vote:** 5-0

**21. Executive session per 1 M.R.S.A. § 405 (6) (E) to discuss Goose Rocks Beach litigation.**

Mr. Mead said the next item after executive session is to finalize the Town Meeting Warrant. He said the Board received a letter from the plaintiff's attorney regarding objections and concerns on the proposed Supplemental Goose Rocks Beach Ordinance. The Board will go into executive session to discuss these concerns with the Town Counsel.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins to go into executive session to discuss the Goose Rocks Beach litigation. **Vote:** 5-0.

The Board went into executive session at 7:26 P.M.

The Board came out of executive session at 8:00 P.M.

Items 14 and 15 were addressed next.

**22. Adjournment.**

**Motion** by Selectman Daggett, seconded by Selectman Barwise, to adjourn. **Vote:** 5-0.

The meeting adjourned at 8:04 P.M.

Submitted by

Arlene McMurray  
Administrative Assistant