

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN**

TUESDAY, FEBRUARY 26, 2019 – 6:30 P.M.

**KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301**

REGULAR MEETING AGENDA

1. Call to Order & Pledge of Allegiance

2. Approval of Minutes

- a. February 12, 2019 Regular Meeting

Budget Meetings (minutes to be presented at a future meeting)

- a. January 29, 2019 Special Meeting (budget meeting)
b. January 31, 2019 Special Meeting (budget meeting)
c. February 2, 2019 Special Meeting (budget meeting)
d. February 5, 2019 Special Meeting (budget meeting)
e. February 7, 2019 Special Meeting (budget meeting)

3. Items to be Signed

4. Public Hearings

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

A new Victualer License application from KNVRS Corp d/b/a Kennebunk House of Pizza (new owners) located at 5 York Street

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

Fire Dept./Codes Office: nothing found in the annual inspection that would interfere with the issuance of the license.

Police Department: new license – nothing to report from police

MOTION: To approve the Victualer License Application for KNVRS Corp. d/b/a Kennebunk House of Pizza.

- b. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following two **proposed amendments to Town Ordinances:**

Section 2-3, “One-Way Prohibited Traffic”

This amendment would specifically restrict vehicular, snowmobile, and ATV access along the portions of Emmons Road between Sparrow Drive and the Eastern Trail.

Section 3-5, “Public Beaches”

This amendment would remove Parsons Beach from the jurisdiction of this ordinance as the Town holds a lease agreement with specific rules, thus there is no need for an overlap of documents.

Copies of proposed amendments are available in the Town Clerk's Office.

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

Changes to these Ordinances can be approved at this public hearing and do not require a Town Meeting vote. If the Board wishes to approve the amendments, the motion could be as follows:

MOTION: To approve the Amendments to the Kennebunk Town Ordinances, Section 2-3, One-Way Prohibited Traffic and Section 3-5, Public Beaches.

5. Public Comments

6. Acknowledgements/Announcements

7. Time Sensitive Business & Staff Presentations

- a. Candidate to Appear for Appointment Consideration to Town Committees – The following resident will be in attendance at Tuesday's meeting to discuss her interest in joining the following committee.

- **Lower Village Committee**

Vacancies: (1) Alternate 2019

- Patricia Sass Perry

Ms. Sass Perry submitted an application to join the Lower Village Committee in December, however, the committee had no openings at that time. With the resignation of a member at the end of January, the committee currently has one opening for an Alternate member.

Ms. Sass Perry met with the Town Manager on February 15th and expressed her desire to aid in shaping and guiding Kennebunk's future. The Town Manager encourages the Board of Selectmen to give thoughtful consideration to Ms. Sass Perry's candidacy for the Lower Village Committee.

Please refer to supporting material in the Board's Packet.

MOTION: To appoint Patricia Sass Perry as an Alternate Member on the Lower Village Committee, with a term expiring in 2019.

- b. Discuss 2019 Ambulance Billing Rates – At the February 12th meeting of the Board, Fire Chief Rowe presented a proposal for a revision to the current ambulance billing rates (please refer to the supporting material in the Board's packet). This proposal was based on an annual survey of area rates recently completed by Medical Reimbursement Services of Windham, Maine, the Emergency Medical Services billing contractor used by the Town of Kennebunk. At that meeting, the Board asked the Chief to conduct additional research in support of his recommendation that rates be adjusted for 2019. Rescue Chief Brady will present the outcomes of that additional research as Chief Rowe is unavailable to a prior commitment.

As the Board considers this request, it is important to note that the recommendation for an increase in billing rates is to offset expenditure increases in the following lines:

- Soft medical supplies are no longer replaced at the hospital.
- We are now having to pay for all medications and can no longer get resupplied at the hospital.
- The cost of some medications and medical supplies has gone up exponentially, specifically due to supply shortages.

It is also important to recognize that Medicare and Medicaid (MaineCare) pay a percentage of the bill, which is based on local billing profiles. The private insurers base their rate over CMS (Centers for Medicare and Medicaid Services) rates, so Medicare typically will pay up to 60% percent of the charge and Medicaid will pay 30-40%, depending on the charge.

In the event the Board wishes to support the proposed 2019 billing rates as presented, the following motion is recommended.

MOTION: To approve the recommended Ambulance Billing Rates for 2019.

- c. Discuss the Closing of Certain Town Ways to Heavy Loads beginning March 1st – Each year, the Town posts certain roads closed to any non-exempt vehicle or combination of vehicles registered for a gross weight of over 23,000 pounds. Two axle trucks between 23,000 and 34,000 pounds transporting Special Commodities are exempt from this closure. This is done to protect our roads as the frost levels are changing.

Special Commodities are defined as follows:

- Home delivered heating fuel (oil, gas, coal, stove-size wood that is less than 36” in length, propane and wood pellets)
- Petroleum products
- Groceries
- Bulk milk
- Bulk feed
- Solid waste
- Animal bedding
- Returnable beverage containers
- Sewage from private septic tanks or porta-potties
- Medical gases

The following roads are closed to such traffic commencing on March 1st and will remain closed until at least April 30th unless otherwise posted. Any violation of the rules is a traffic infraction punishable by a fine of not less than \$250.

Alfred Road (Thompson Rd to Cole Rd)	Old Falls Road
Cole Road	Old Port Road
Downing Road	Perkins Lane
Durrells Bridge Road	Ross Road
Emmons Road	Russell Farms Road
Harriseckett Road	Thompson Road
Heath Road	Winnow Hill Road
Middle Road	

The posting shall remain in force except when the way is solidly frozen. The highway is considered solidly frozen only when the air temperature is 32 degrees F. or below and no water is showing in the cracks in the road. Both conditions must be met.

For further information, please contact the Kennebunk Public Services Department at 985-4811.

MOTION: To close the above listed roads from March 1st until at least April 30th or as cleared by the Town’s Director of Public Services.

- d. Countersign the RSU 21 Warrant and Notice of Election – As Municipal Officers of the Town, you are required by State law to countersign the school district's Warrant and Notice of Election. As you are aware, by signing, it does not mean you are endorsing it. The document will be provided on Tuesday evening for your signatures (which must be on the same line on all 10 copies).

Please refer to supporting material in the Board's Packet.

MOTION: To countersign the RSU 21 Warrant and Notice of Election for the RSU 21 Budget Validation Referendum Election to be held on June 11, 2019.

8. Old Business

9. New Business

- a. Discuss the Proposed Amendment to the Skateboard Ordinance (Town Ordinances, Section 2-4.3) – On February 12th, the Board of Selectmen Ordinance Subcommittee met to discuss the current Skateboard Ordinance. This ordinance was initially adopted by the Board on November 24, 1992 and most recently amended on June 21, 2011. The Ordinance Subcommittee is recommending that the ordinance be repealed.

If the Board wishes to advance this forward, a public hearing could be scheduled for March 12th.

MOTION:

- b. Discuss the Teen Center Status - On February 19th, the Board held a workshop during which the current condition of the Teen Center was discussed. The Board viewed a series of photographs highlighting both the interior and exterior condition of the Teen Center. Staff proposed bringing forward to the Board, within 60 days, a report on the Teen Center to include the following:
- Assess the immediate programming needs of the Teen Center
 - Forecast the future programming needs of the Teen Center
 - Offer opinion as to whether or not the current Teen Center meets the identified current and future programming needs
 - Through contracted resources, determine the structural integrity of the block portion of the Teen Center
 - Through contracted resources, determine the environmental condition of the Teen Center
 - Identify other potential uses for the area currently occupied by the Teen Center i.e. restroom facility for users of the adjacent playground and athletic fields/courts
 - Offer insight as to the future need of a Teen Center by the community

Due to the above being discussed in a workshop setting, the Board was unable to vote on their decision; they may do so at this meeting. If the Board wishes to advance the referenced report on the Teen Center, the below motion is offered for consideration.

MOTION: To authorize the advancement of the report on the Teen Center.

- c. Discuss the Status of the Skate Park Initiative - On February 19th, the Board held a workshop during which the status of the ongoing efforts of the Skate Park Committee were discussed. Representatives of the Skate Park Committee professed their continued desire to pursue the idea of placing the proposed skate park at the site of the closed landfill located at 36 Sea Rd. Consensus of the Board supported the advancement of a survey of "the entire Sea Road parcel" that currently serves as the site for the Public Services facility, Dog Park, Transfer Station and "Sledding Hill."

Due to the above being discussed in a workshop setting, the Board was unable to vote on their decision to have a survey of the entire 36 Sea Road parcel be performed. If the Board wishes to advance the referenced survey, the below motion is offered for consideration.

MOTION: To authorize the advancement of a survey of the entire 36 Sea Road parcel that currently serves as the site for the Public Services facility, Dog Park, Transfer Station and "Sledding Hill."

- d. Discuss Any Other Business

10. Board of Selectmen Comments

- a. Subcommittee Reports
- b. Individual Selectmen Comments

11. Town Manager Announcements

- a. Proposed FY2019-20 Budget – Want to catch up on the budget meetings that took place recently at Town Hall? Meetings are archived for viewing anytime at www.townhallstreams.com.
 - View the supporting detailed budget documents presented at the budget meetings at www.kennebunkmaine.us/budget.

12. Executive Session

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

13. Adjournment