

**TOWN OF KENNEBUNK**  
**SELECT BOARD**  
**TUESDAY, MARCH 24, 2020 – 6:30 P.M.**  
**KENNEBUNK TOWN HALL**  
**3<sup>rd</sup> FLOOR, ROOM 301**  
**REGULAR MEETING AGENDA**

**Please note: This meeting will be conducted through  
the electronic platform Zoom, as described below.**

**ZOOM MEETING - INSTRUCTIONS**

**Information you will need to join this Zoom meeting:**

**Meeting ID: 590 315 203**

(No password or participant ID needed)

To join by mobile device (equipped with audio and/or video capability), use this link:

<https://zoom.us/j/590315203>

To join by phone:

Dial one of the numbers below:

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

The Kennebunk Select Board will meet on Tuesday, March 24, 2020 at 6:30 p.m. This will be the Board's first Regular meeting under the new provisions of 1 M.R.S.A. § 403-A, which authorizes the Town to hold remote meetings during the state of emergency declared by the Governor due to the outbreak of COVID-19. The Board's meeting will be conducted using the [Zoom](#) platform. Zoom is a remote conferencing services company, that provides Online Meetings with Video Conferencing.

**MOTION:** The Select Board authorizes the use of the Zoom platform for remote public participation, pursuant to the provisions of 1.M.R.S.A. § 403-A(1)(C). Notice of remote participation has been given in accordance with 1 M.R.S.A. §§ 403-A(1)(A) and 406.

Instructions for connecting to Zoom for this meeting are shown above.

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

**Hear an update from the Town Manager regarding COVID-19 and the Town's Preparedness Plan**

2. APPROVAL OF MINUTES

- a. March 10, 2020 Regular Meeting  
[Please refer to supporting material \(PDF\)](#)
- b. Budget Meetings (Joint Meetings with the Budget Board) - *minutes not yet available*
- January 30, 2020 Special Meeting (budget meeting)
  - February 1, 2020 Special Meeting (budget meeting)
  - February 4, 2020 Special Meeting (budget meeting)
  - February 6, 2020 Special Meeting (budget meeting)
  - February 8, 2020 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 hear public comment regarding **Proposed Amendments to the Zoning Ordinance which will be voted on at the April 7, 2020 Special Town Meeting Referendum Election.**

**Articles to be Amended:**

Article 10, Section 24 Retail Marijuana  
Article 8, Section 14.B.5 Business Park District  
Article 2, Section 2 Definitions

**Summary:** This would permit retail marijuana testing facilities, licensed by the State of Maine, within the Business Park (BP) Zoning District.

This amendment only deals with retail testing facilities and would not permit any retail stores, retail manufacturing or retail cultivation of marijuana within the Town of Kennebunk

This amendment changes language from retail to adult use in order to be consistent with State law.

Additional information available in the Town Clerk's Office.

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

*This is the only article on the Special Town Meeting Warrant for the April 7, 2020 Election.*

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

**To hear public comment on the 2020-2021 Municipal Budget for the Town of Kennebunk**

Additional information may be obtained in the Town Clerk's Office.

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

*The Select Board, Budget Board and staff have assembled a [proposed budget](#) for the coming year (July 2020-June 2021). Those Budget meetings, that took place in January and February, are archived and available for viewing anytime at [www.townhallstreams.com](http://www.townhallstreams.com). This hearing complies with the Town Charter.*

- c. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:  
**Proposed changes to Beach Parking Permit Fees:**

<b>Town of Kennebunk - Beach Parking Permit Fees - March 6, 2020</b>			
	<u>Current</u>	<u>Recommended</u>	
Resident/taxpayer - 1st permit per <u>address</u>	Free	Free	
Resident/taxpayer - 2nd permit per <u>address</u>	\$5	<b>\$10</b>	Increase
Resident/taxpayer - 3rd permit per <u>address</u>	\$10	<b>\$15</b>	Increase
Resident/taxpayer - Guest permits	\$25	<b>\$50</b>	Increase
Kennebunk Hotel/Motel	\$50	<b>\$100</b>	Increase
Non-Resident - One Day	\$25	\$25	
Non-Resident - One Week (7 days)	\$100	\$100	
Non-Resident - Full Season	\$200	\$200	
<b>NOTE: Permits are <u>not</u> associated with a vehicle registration as done in many communities.</b>			
<b>Parking violations: \$50.00</b>			

Copies may be obtained in the Town Clerk's Office.

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

*Changes to Fees can be approved at this public hearing and do not require a Town Meeting vote. If the Board wishes to approve the recommended Fees listed above, the motion could be as follows:*

**MOTION:** To approve the Beach Parking Permit Fees as recommended above.

5. PUBLIC COMMENTS

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

- a. **Accept the Following Donations** – The Town recently received the following donations:

- \$100 from Mary Foster and Maureen Smith for the Kennebunk Fire Rescue Department
- \$10,000 from an Anonymous donor. This donation was made to the Social Services office to assist our residents in need during this health crisis.

We are extremely grateful and touched by these acts of generosity.

**MOTION:** To accept the donations and letters thanking them for their very generous donations.

If you or someone you know is in need of assistance during this time, please contact our Social Services office 604-1342.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS

a. Discuss Boards and Committees

1. Accept the Following Committee Resignations

- Dana Ingham, West Kennebunk Village Committee – Regular 2020
- William Macdonald, Zoning Board of Appeals – Regular 2021

**MOTION:** To accept the resignations of Dana Ingham from the West Kennebunk Village Committee and William Macdonald from the Zoning Board of Appeals and send letters thanking them for their service.

2. Move Up Alternate Member

- Stephen Sayers – Zoning Board of Appeals

Mr. Sayers holds one of the two Alternate positions; the second position is currently vacant.

**MOTION:** To move Stephen Sayers from Alternate to Regular Member on the Zoning Board of Appeals to fill the remainder of William Macdonald's term that expires on June 30, 2021.

b. Take Up the Following Items for the June 9, 2020 RSU 21, State Primary and Municipal Election

1. Set the polling hours from 6:00 a.m. to 8:00 p.m.
2. Establish the following additional hours that the Town Clerk’s Office will be open for [voter registration and absentee balloting](#):

Saturday, May 30	9:00 a.m. to 1:00 p.m.	Tuesday, June 2	4:30 p.m. to 7:30 p.m.
Sunday, May 31	9:00 a.m. to 1:00 p.m.	Wednesday, June 3	4:30 p.m. to 7:30 p.m.
Monday, June 1	4:30 p.m. to 7:30 p.m.	Thursday, June 4	4:30 p.m. to 7:30 p.m.

**MOTION:** To set the polling hours from 6:00 a.m. to 8:00 p.m. and the additional hours for the Town Clerk’s office as noted above; however, if changes are warranted due to COVID-19 closures, the information will be posted on the Town’s website.

3. Approve the Town Clerk’s Appointment of Mary Nedeau as Warden.

**MOTION:** To approve the Town Clerk’s Appointment of Mary Nedeau as Warden.

4. *Information only, no action required:*

Nomination papers are still available for the following positions:

Select Board Members	(2) 3-year terms
RSU 21 Directors	(2) 3-year terms
Trustee KKWWD	(1) 3-year term
Trustees KLPD	(1) 5-year term and (1) 3-year term
Trustee KSD	(1) 3-year term

Nomination papers shall have a minimum of 25 signatures and must be returned no later than 4:30 p.m. on April 10. Absentee ballots available on May 11.

Please contact the Town Clerk’s office at 985-2102 x 1602 if you have questions or wish to take out nomination papers.

- c. **Discuss a Possible Adjustment to the Real Estate and Personal Property Tax Due Date** – The second installment of the 2019-20 tax bill is due on Friday, April 3.

**MOTION:**

8. OLD BUSINESS

9. NEW BUSINESS

- a. **Discuss Harvesting Alewives in Kennebunk for the 2020 Season** – This is the annual appeal from the Department of Marine Resources (DMR) requesting the Board vote on the right to harvest alewives. The suggested motion from the DMR below gives harvesting rights to individuals and prohibits commercial harvesting. This authority is given to the Select Board by State law and the Town Charter.

**MOTION:** To retain the alewife harvest rights for individuals and keep alewife fisheries closed (for commercial harvesting) for conservation for 2020.

- b. **Discuss Allowing a Construction Overlimit Permit for the Department of Transportation for the Crack Sealing Project** – The Maine Department of Transportation (MDOT) has requested the municipality issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits over municipal roads.

This project is described as:

**Project 18995.13:** The sections of highway under construction in York County (specific to Kennebunk are):

- On Route 1 in Wells from Route 9 East, north to Swan Street in Kennebunk

The remaining sections of highway under construction are in Cumberland and York Counties.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation will not be known until just prior to the start of work.

**MOTION:** To approve the Construction Overlimit Permit pursuant to 29A MRSA §2382 for Project No. 18995.13 and allow the Town Manager to sign on behalf of the Board.

*[Please refer to supporting material \(PDF\)](#)*

- c. **Discuss Any Other Business**

10. SELECT BOARD COMMENTS

- a. **Subcommittee Reports**  
b. **Individual Select Board Member Comments**

11. TOWN MANAGER ANNOUNCEMENTS

- a. **Tax Due Date** – The second installment of the 2019-20 tax bill is due on Friday, April 3.
- **Drop off:** The Tax Collector's office opened the lobby mailbox as an option to pay your real estate and personal property tax payments. Please drop off your payment in a sealed envelope. Please add your phone number on your check in the event we need to reach out to you for payment discrepancies.
  - **Mail:** You may also mail us your tax payment. Please add your phone number on your check in the event we need to reach out to you for payment discrepancies.
  - **Pay Online:** Payments may be submitted [online](#). Please know there is a 2.5% surcharge fee to use this feature.
  - **No cash, please.**

**b. Upcoming Elections:**

- April 7, 2020 Special Town Meeting Referendum (Proposed Zoning Ordinance Amendments to permit retail marijuana testing facilities, licensed by the State of Maine, within the Business Park Zoning District)
  - Absentee ballots available now
  
- June 9, 2020 Annual Town Meeting, Town Referendum, School Budget Validation, State Primary, State Referendum
  - Absentee ballots available on May 11

12. EXECUTIVE SESSION

13. ADJOURNMENT