

Face coverings are required to enter the building and when social distancing cannot be maintained.

**TOWN OF KENNEBUNK
SELECT BOARD
TUESDAY, AUGUST 11, 2020 – 5:30 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR, ROOM 301
REGULAR MEETING AGENDA**

This is a televised Meeting.

View on Cable TV Channels 5 or 1302, online at www.townhallstreams.com or in person at the Town Hall.

1. CALL TO ORDER
2. EXECUTIVE SESSION
 - a. **Discuss Economic Development Matters** with the Town Manager, Finance Director and Director of Community Development regarding an economic development matter where premature disclosure of the same would prejudice the competitive bargaining position of the Town relative to the same - Title 1 MRSA Sec. 405(6)(C).
 - b. **Discuss a Personnel Matter** with the Town Manager - Title 1 MRSA Sec. 405(6)(A)

MOTION: To enter into executive session, with the Town Manager, Finance Director and Director of Community Development to discuss:

- Economic Development Matters, pursuant to Title 1 MRSA Sec. 405(6)(C)
- Personnel Matter, pursuant to Title 1 MRSA Sec. 405(6)(A)

It is estimated that the meeting will resume at 6:30 p.m.

3. PLEDGE OF ALLEGIANCE, APPROVAL OF MINUTES, ITEMS TO BE SIGNED
 - a. July 14, 2020 Regular Meeting Minutes [Please refer to supporting material \(PDF\)](#)
4. PUBLIC HEARINGS
5. PUBLIC COMMENTS
6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS
 - a. **Welcome Newly Elected and Re-elected Select Board Members** – On Tuesday, July 14th, voters elected Select Board member Peter Brewitt and re-elected Select Board member William Ward, Jr., both to three-year terms. Congratulations Peter and Bill! We look forward to working with you.
 - b. **Chief MacKenzie will be present to provide updates regarding Police Department activities** as requested by Town Manager Pardue.

c. **Accept the Following Donations:**

- The Town recently received a donation in the amount of \$1,000 from Marilyn Wade to assist residents in need with utilities, fuel or rent.
- The Kennebunk Police Department received a \$300 donation from Joanne Grace in appreciation for our officers' service to the community. Ms. Grace would like to utilize these funds to go toward a program or equipment purchase of the Police Department's choice.

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

d. **Hear an Update from the Town Manager regarding COVID-19 and the Town's Preparedness Plans:**

- Update on the efforts of the Community Reengagement Task Force
- Update on the efforts of the Workplace Reengagement Task Force
- Update on the activities of the Treasure Chest
- COVID-19 Community Resources in the Kennebunks – The Towns of Kennebunk, Kennebunkport and Arundel have partnered with Community Outreach Services (COS) to assist residents during this time. [View the Resources available \(PDF\)](#) and please reach out if you need assistance.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS

- a. **Take up the Election of the 2020-21 Select Board Officers** – Each year, at the first meeting in July after the Annual Town Meeting (per the Town Charter), the Board elects its new officers for the coming year. Since the Annual Town Meeting was moved from June to July this year due to the challenges of COVID-19, the election of officers was similarly delayed.

MOTION: To elect _____ as the Chair.

MOTION: To elect _____ as the Vice Chair.

MOTION: To elect _____ as the Secretary.

- b. **Accept Resignations from Peter Brewitt from the Board of Assessment Review and Budget Board** – Peter Brewitt was elected to the Select Board on July 14th and has resigned his positions on the Board of Assessment Review (Regular 2021) and Budget Board (Regular 2022).

MOTION: To accept the resignations of Peter Brewitt from the Board of Assessment Review and Budget Board and send a letter thanking him for his service.

- c. **Review the Select Board Code of Ethics** – The Board should review and sign the Code of Ethics. The only change made was to Board member names.

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

MOTION: To sign the Code of Ethics.

- d. **Discuss the Maine Municipal Association's Workers' Compensation Safety Incentive Program (WCSIP)** – Maine Municipal Association Risk Management Services has designed a program to work in partnership with our Workers' Compensation Fund members. The WCSIP rewards members with the opportunity to earn financial incentives by improving workplace safety. This program replaces the Leader Program that the Town of Kennebunk has participated in for a number of years.

The Town Manager has notified Maine Municipal Association of the Town's interest in participating in the Safety Incentive Program. To confirm participation, a Resolve Form must be signed by the Select Board prior to September 1, 2020.

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

MOTION: To elect to participate in Maine Municipal Association's Workers' Compensation Safety Incentive Program.

- e. **Set the Tax Rate for 2020-2021** – The Assessor, Dan Robinson, is completing the valuation updates and finalizing the mil rate. Dan will provide the tax rate at the meeting.

MOTION: To set the Tax Rate for 2020-2021 at \$_____.

- f. **Set Tax Due Dates and Interest Rates** – The property tax due dates for the coming year should be October 2, 2020 and April 2, 2021. The maximum allowed interest rate by state law for delinquent taxes for the coming year is 8%. Last year, we set the rate at the maximum, which was 9%.

State statute allows us to set the interest rate on tax overpayments to be no lower than four (4) percentage points under the interest rate charged on delinquent taxes. Therefore, the lowest rate on overpayments for FY20-21 is 4%. Generally, interest on overpayments is not paid since any credit balances owed to taxpayers is refunded after the second payment due date.

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

MOTION: To set the Tax Due Dates for October 2, 2020 and April 2, 2021 with the interest rate on delinquent taxes at 8% and the interest rate on overpayments at 4%.

8. OLD BUSINESS

- a. **Update on UNH Fellow** – Aleksander Gulkewicz will complete his eleven-week Sustainable Fellowship with the Town of Kennebunk the week of August 10th. He will make a presentation to the Board on his report findings via telephone. One or more of his mentors from the Energy Efficiency Advisory Committee will be in attendance at the meeting to facilitate the presentation and sharing of information.

MOTION:

9. NEW BUSINESS

- a. **Discuss Amending the Town Charter, Section 2.02 Dates of the Annual Town Meeting** –Sec. 2.02 of the Charter states the Annual Town Meeting shall convene on the second Tuesday of each June. This date was established so the Town and State elections would be conducted concurrently. Town Clerk Merton Brown would like to share some information that might indicate that having the elections together is no longer the best alternative. The Town Attorney has indicated that this change is not substantive and would be an amendment to the current Charter.

[Please refer to supporting material – Town Charter \(PDF\)](#)

MOTION:

- b. **Approve the Termination and Easement Release Document and Settlement Agreement with Paul Michaels of 34 Days Mill Road** – The property owner and the Town have determined the access easement at 34 Days Mill Road is no longer necessary. Given the improvements made to the easement area and impact to value of the property, the Town and property owner have mutually agreed on a settlement amount of \$12,500. Its recommended the Board review and approve the documents prepared by the Town Attorney and authorize the Town Manager to execute the documents.

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

MOTION: To authorize the Town Manager to execute the documents prepared by the Town Attorney.

- c. **Discuss the Adoption of an Emergency Management Ordinance** – This Ordinance will provide Town leadership the ability to take proactive steps to safeguard the Town and its inhabitants when faced with a catastrophic, or potentially catastrophic, event. This item is appearing before the Board at this meeting with further review by the Ordinance Subcommittee to occur once said committee has been reelected.

If the Board wishes to advance this to the November Special Town Meeting, a public hearing is required, no later than September 8th.

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

MOTION: To send the proposed Emergency Management Ordinance to a Public Hearing on September 8th.

- d. **Discuss Select Board Liaisons to Committees** – The referenced spreadsheet lists the various Town committees that include Select Board Liaisons. Board members should review the list and indicate the committees they are interested in working with. Select Board members are requested to sign up for committees they expect to be able to attend as appropriate.

Please give advance consideration to your preferences so as to streamline this agenda item, should you wish to make final selections during this meeting.

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

MOTION:

- e. **Discuss Select Board Member Subcommittee Assignments** – The subcommittees are listed at the bottom of the referenced spreadsheet. Subcommittees have no more than three members, and meet as necessary. Please give advance consideration to your preferences.

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

MOTION:

- f. **Election of Maine Municipal Association's 2020-22 Legislative Policy Committee** – Maine Municipal Association (MMA) member municipalities have made their nominations for the 2020-22 Legislative Policy Committee. Last month, as you will recall, the Board nominated William Ward, Jr. to represent Kennebunk in District 34.

Our district may vote for two candidates. The names on the ballot are:

- William Ward, Jr., Select Board member, Town of Kennebunk
- Larissa Crockett, Town Manager, Town of Wells

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

The deadline for retuning the ballot is August 27th.

MOTION: To vote for William Ward, Jr. and Larissa Crockett to represent District 34 on MMA's Legislative Policy Committee and authorize the Town Manager to sign the ballot on the Board's behalf.

- g. **Election of Maine Municipal Association Vice President and Executive Committee Members** – Each year, member municipalities have an opportunity to vote in the election of MMA Vice President and Executive Committee Members to serve on the MMA Executive Committee.

Vice-President, for a 1-year term (vote for one)

- James Bennett, City Manager, City of Biddeford.

Executive Committee Members, for 3-year terms (vote for three)

- Robert Butler, Selectboard Chair, Town of Waldoboro
 Terry Helms, Selectperson, Town of Grand Isle
 Diane Hines, Town Manager, Town of Ludlow & Reed Plantation

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

The deadline for returning the ballot is August 21st.

MOTION: To vote for James Bennett for Vice President and Robert Butler, Terry Helms and Diane Hines for the three Executive Committee Members and authorize the Town Manager to sign the ballot on the Board's behalf.

h. **Discuss Any Other Business**

10. SELECT BOARD COMMENTS

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

11. TOWN MANAGER ANNOUNCEMENTS

- a. **Tuesday, September 8th** – Next regular meeting of the Select Board
b. **Hear an Update on the Renovation Work Being Performed at the 19 Park Street Building**
c. **Tree Trimming** – Kennebunk Light & Power will be continuing its Tree Trimming operations throughout Town and that will include some work along the Summer Street Corridor between Town Hall & Sea Road. This work will impact some of the visual elements of the corridor, but will not involve any private property. This is being carried out in accordance with 25 M.R.S.A. Sec. 2522.
d. **Kennebunk's Public Access Channels 5 & 1302** – Charter Communications, locally known as Spectrum, has made changes to their public access channels.
 - Kennebunk's public access channel will be dual illuminated on channels 5 and 1302.
 - Kennebunkport's public access channel will be dual illuminated on channels 2 and 1301.

12. EXECUTIVE SESSION

13. ADJOURNMENT