

TOWN OF KENNEBUNK
SELECT BOARD MEETING MINUTES
TUESDAY, FEBRUARY 23, 2021 – 6:30 P.M.
MEETING HELD VIA ZOOM

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

On Tuesday, February 23, 2021, at approximately 6:36 p.m., Wayne Berry, Vice Chair of the Select Board for the Town of Kennebunk, called to order the Regular Meeting of the Select Board as Chair Baldwin was experiencing connectivity challenges. Present were Select Board members Wayne Berry, Peter Brewitt, Edward Karytko, Frank Paul and Shiloh Schulte. L. Blake Baldwin was having difficulty connecting to the meeting. At the beginning of the meeting, he was able to connect with audio only. He then left the meeting and was able to reconnect to the meeting proceedings with audio and video at 6:49 p.m. William Ward, Jr. joined the meeting at 6:45 p.m.

Also present was Town Manager Michael Pardue.

The Pledge of Allegiance was recited.

2. CONSIDERATION/APPROVAL OF MINUTES

- a. February 9, 2021 Regular Meeting [*Please refer to supporting material \(PDF\)*](#)

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

- a. January 28, 2021 Special Meeting (budget meeting)
- b. January 30, 2021 Special Meeting (budget meeting)
- c. February 2, 2021 Special Meeting (budget meeting)
- d. February 4, 2021 Special Meeting (budget meeting)
- e. February 11, 2021 Special Meeting (budget meeting)

A motion was made to accept the minutes the minutes of February 9, 2021

MOVED: Karytko

SECONDED: Schulte

VOTE: 7 in favor, 0 opposed. The motion passed.

3. ITEMS TO BE SIGNED - non

4. PUBLIC HEARINGS - none

5. PUBLIC COMMENTS

Select Board member William Ward joined the meeting during public comments at approximately 6:45 pm.

Sharon Staz, Chair of the Energy Efficiency Advisory Committee (EEAC) offered comment regarding the Select Board Chair meeting with Kennebunk Light & Power District (KLPD) Chair to discuss LED street lights, saying she learned of the two Chairpersons meeting when she attended a KLPD meeting held earlier tonight. Staz also noted that EEAC members have not received an invitation to sit in on meetings with the Select Board and KLPD, as discussed at the last Select Board meeting.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

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

- Update on the efforts of the Workplace COVID Task Force
- Update on the efforts of the Kennebunk COVID Task Force
- COVID-19 Community Resources – For those in need of assistance at this time, please visit our website where we have posted information for food and fuel resources as well as other assistance. www.kennebunkmaine.us/socialservices

Pardue went over this agenda item. He spoke of the Workplace Task Force and the current rotating on-site workforce approach; it continues to prove effective. March 22 is the target date to begin the bringing all staff members back into the workplace, which remains dependent upon the trending of COVID numbers.

Pardue stated the Town's COVID Task Force met yesterday. They received very positive vibes from business leaders and the Chamber of Commerce director, reporting strong numbers to include some early Prelude reservations. They are very optimistic. Pardue also noted the Recreation Department is putting together programming for younger youth, i.e. tennis and soccer. Proposed programs will be referred to the Task Force subgroup for their recommendation. He applauded the Recreation Department for their attention to incorporating strict COVID protocols within the referenced proposals. The next meeting of the Kennebunk COVID Task Force is March 22.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS

a. **Discuss Boards and Committees**

- **Committee Resignation:**
Elizabeth Smith, Comprehensive Plan & Zoning Ordinance Update Committee
(Lower Village Committee Representative – no term)

Karytko, the Select Board Liaison to the Committee, acknowledged the amount of work Smith has provided that committee and thanked her.

Select Board Chair Baldwin rejoined the meeting at 6:49 p.m. at which time he assumed responsibility for the meeting proceedings.

A motion was made to accept the resignation of Elizabeth Smith from the Comprehensive Plan & Zoning Ordinance Update Committee and send a letter thanking her for her service.

MOVED: Karytko

SECONDED: Schulte

VOTE: 6 in favor, 1 opposed (Karytko) The motion passed.

- b. **Discuss 2021 Ambulance Billing Rates** – Each year, the Town considers the rates charged for ambulance services. After an analysis of the costs associated with emergency medical service response services and related provisions, the Fire Chief recommends that there be no increase to the billing rates for the 2021 calendar year.

No motion necessary.

Chief Rowe offered comment as to the rationale for the recommendation to not raise rates this year. He explained that since our collections are doing well, he and EMS Chief Brady decided they can manage with maintaining their rates from last year.

Paul asked if the collections are up or down from last year? Finance Director Joel Downs said they are staying about the same; they are surprising good.

With no further comments, the Board moved to the next item.

- c. **Authorize the Purchase of Voting Booths** – The Town Clerk is requesting authorization to purchase 50 adjustable single voting booths at a total price of \$20,625.00, which includes shipping. The quantity meets the State law requirement of one booth for every 200 registered voters. Significant time has been spend researching this replacement. The booths are single sourced from Inclusions Solutions of Evanston, Illinois. Requesting bids would produce this one bid. Funding would be from grant monies already received and approved by the Select Board. This is a significant upgrade from the current booths, which will be sold.

Karytko asked about the grant money from Mark Zuckerberg and what the difference is between the current and new voting booths.

Town Clerk Merton Brown said the grant was for \$55,000.00 (the grant they were referring to was from the Center for Tech and Civic Life, with underlying funding from Priscilla Chan and Mark Zuckerberg, which was accepted by the Board on 11/24/20). Brown stated the major difference is the current booths are quads (4 booths joined). He explained that during COVID, they were only able to use one booth in each quad, due to social distance requirements. The new booths are individual booths that can be placed in a quad setup, if they choose to do so. He noted they are also more durable. Brown said the current booths should be able to sell easily.

Berry suggested we waive the purchasing policy then we can award the purchase.

Brewitt asked about the quantity. Brown responded. Brown also elaborated that some older booths with curtains have been retained as some residents still request them.

A motion was made to waive the purchasing policy regarding sole sourcing.

MOVED: Berry
SECONDED: Ward
VOTE: 7 in favor, 0 opposed. The motion passed.

A motion was made to approve the purchase of 50 Adjustable Single Voting Booths from Inclusions Solutions at a purchase price of \$20,625.00, and to waive the bid process, as the booths are sole sourced.

MOVED: Karytko
SECONDED: Schulte
VOTE: 7 in favor, 0 opposed. The motion passed.

Brown announced that this Friday, nomination papers will become available.

Baldwin asked how many registered voters we have? Brown answered approximately 10,468.

- d. **Countersign the RSU 21 Warrant and Notice of Election** – As Municipal Officers of the Town, the Board is obligated by State law to sign this Warrant and Notice of Election. As the Board is aware, your signature(s) do not necessarily signal your endorsement.

A motion was made to countersign the RSU 21 Warrant and Notice of Election for the RSU 21 Budget Validation Referendum Election to be held on June 8, 2021.

MOVED: Karytko

SECONDED: Schulte

VOTE: 7 in favor, 0 opposed. The motion passed.

The Board was reminded to stop in the Town Clerk's Office to sign the document.

Pardue said we have a quit-claim deed that also needs to be signed, which can be signed when Board members sign the election document. Downs stated a taxpayer paid off taxes from 2016 to the current year.

- e. **Discuss the Closure of Beach Avenue to Vehicular Traffic due the Seawall Construction Work from March 1, 2021 until May 17, 2021** – The work of the seawall reconstruction is scheduled to commence in March of 2021 and will involve the closure of Beach Avenue to vehicular traffic between Peninsula Drive and Gooch Avenue (traffic will be detoured via Peninsula Drive and Bayberry Avenue). Given the magnitude of work and the ability to safely manage the work zone, this will extend from March 1, 2021 until the tentative reopening of May 17, 2021. The road will be open to pedestrians and parking up to Crescent Lane.

[Please refer to supporting material – Schedule/Traffic Control Plan \(PDF\)](#)

Berry mentioned there are still a lot of pedestrians walking near the current construction. He asked Town Engineer Chris Osterrieder about this observation. Osterrieder said this work zone will be able to be managed more easily than the other zones due to the way it will be closed; they won't have access to the beach because the road will be closed.

Berry asked about the detour route that is lined out; asked if we should be prohibiting parking. Osterrieder responded that we can work with the police if we feel that is a problem. Berry noted we can be closed later if we need to and Osterrieder agreed.

Ward asked about signage at Mother's Beach. Osterrieder said a plan is in place. We will use the changeable message signs, social messaging, etc. The message will be adjusted as the project progresses.

Baldwin asked about ADA access. Osterrieder said the only way to access the beach is at the Narragansett. This work won't prohibit that any more than it generally does.

Discussion ensued about the ramp being removed during the jetty repair next year.

A motion was made to authorize the closure of Beach Avenue (from Peninsula Drive to Gooch Avenue) to vehicle traffic from March 1, 2021 until the tentative reopening of May 17, 2021.

MOVED: Karytko

SECONDED: Schulte

VOTE: 7 in favor, 0 opposed. The motion passed.

8. OLD BUSINESS

a. Hear an Update on the Comprehensive Plan

Janice Vance from the Comprehensive Plan and Zoning Ordinance Update Committee offered a brief update on the chapters being revised and those pending. She noted of the 17 sections, six are in rough draft, nine are in progress, and two are left to be started.

Pardue said he had a meeting with the committee chair, Bob Metcalf, last Friday. Pardue said he and Metcalf discussed how best to draw from the talent of the committee members, coupled with the expertise of a firm such as SMPDC to generate a high quality end product. They agreed that a collaborative approach will likely prove very effective in achieving the desired end result.

Ward asked about the future land use. Vance said that is the last one that will require a lot of interface between all the committee members.

Blake thanked Janice Vance for all her work and perseverance.

b. Hear an Update on the Town's Branding Initiative

Maureen Flaherty, chair of the Branding Committee Task Force offered an overview of the work timeline for this group.

The group started in 2019 to identify the task force members, assess the current situation, discuss past branding work, and research potential place branding consultants. In 2020, the group revisited the next steps for focus group research. The COVID pandemic put a hold on the group's activities for seven months in 2020. In October, 2020, they picked the work back up. Tina Radel, the Town's contracted communications consultant joined the group. In 2021, the work is centered around working with Radel to develop that project plan and understand what they can do within the budget, and begin to dive into the research phase. In the next couple of weeks, they plan to finalize and distribute surveys to the public to start gathering feedback. When the findings are in, they will determine if additional research is needed, develop a creative brief, develop branding and marketing concepts and create and finalize plan to roll out branding and marketing work.

Schulte asked Flaherty to elaborate on an outcome of someone who has developed a brand, and to give an example how this can be used in Kennebunk.

Flaherty talked about the many towns who have branded themselves. She spoke of an exercise of what branding is all about.

Flaherty walked the attendees through a PowerPoint illustrating what branding does for an entity. She provided examples of the differences between, for example, Starbucks and Dunkin Donuts, i.e. seating, lighting, flooring, walls and Wi-Fi. After engaging with the Board, she highlighted that Starbucks, with their upscale interior, wants people to sit and enjoy a cup of coffee, enjoy Wi-Fi, while Dunkin Donuts, with their marketing of "America runs on Dunkin" wants people know they can start their day with a coffee and be on their way. They are two very different brands.

She further explained what branding and marketing does. Branding isn't just the logo or the tag line. Branding is all about clarifying choice and building an emotional connection with people through shared values.

Schulte said he would rather define what Kennebunk is than have someone do that for him that doesn't live here. Flaherty agreed.

Karytko asked why we need branding. He said Starbucks and Dunkin Donuts' brand is to make money. Why are we doing this, are we trying to get more people to come to Kennebunk? He said he doesn't want to have the added people, traffic, etc.

Flaherty said it could be any reason. She spoke of the merchants and inn owners who would like more people, mentioned the empty storefronts on Main Street. She said it would be nice to have additional businesses locate here, and other businesses to bring in customers.

Bill Ward asked, are you looking at Kennebunk today or our past when creating a brand?

Flaherty said it's a little of all of that, what Kennebunk is now and where you want it to go. She gave an example of Kennebunk Savings Bank and their evolution or revolution approach. They wanted to honor and hold up its history but also to convey a sense of where we want to go in the future. Much of branding is about holding a mirror up to the community to show what Kennebunk is.

Baldwin gave an example of a scandal, saying if you don't have a brand, the only thing someone will find when they search is that scandal.

Jonathon Johnson said he agreed with Baldwin, it's a time to look in the mirror and find out who we are.

Paul said we are looking at where we are, where we're going; how you brand yourself is critically important to where you want to be.

Maggie Bartenhagen from the Energy Efficiency Advisory committee asked about the survey. Flaherty said surveys are planned asking residents what they feel is important, what they like, don't like. They will also ask for input from those who do not live here.

Baldwin thanked Maureen Flaherty for the lively presentation.

c. Hear an Update on the Town's Connectivity Initiative

Jonathan Johnson of the Economic Development Committee and the Connectivity Subcommittee offered an update and overview of the work of this task force. He said the mission of the Connectivity workgroup is to bring faster, more reliable internet connectivity to homes and businesses by exploring the costs and benefits associated with expanding and improving the current broadband network in the Town of Kennebunk. Businesses and residents (subscribers) have expressed dissatisfaction with the current speed and dependability of their current internet. The subcommittee worked with Bay Advisors of Gardiner, Maine and they provided a current broadband report outlining the areas of the Town that currently have access to broadband and also identified the areas that are not serviced. The report indicated that 99.4% of the businesses and homes are served by Spectrum, providing a cable modem solution. He spoke of the discussions they have had with the internet service providers like GWI, Spectrum, Firstlight and Consolidated and said they are still in discussions to determine whether they would be willing to talk further about the group's initiative. At this point, they are still conversing with GWI and Spectrum. He mentioned the survey that is being drafted that will be sent to the subscribers to get a rating of their current internet connection, whether they are in need of faster speeds and what they would be willing to pay for a better connection. Once the data is collected, the workgroup can decide how best to move forward.

Ward spoke about potential bandwidth.

Johnson spoke of living in West Kennebunk and having DSL connection and his family's difficulty in all using the internet (zoom/school remote learning, working from home, etc.). He also spoke of how so many are getting away from cable TV and using the internet for streaming TV.

With no further comments, Baldwin thanked Johnathan Johnson for his presentation.

9. NEW BUSINESS

- a. **Discuss the Army Corps of Engineers Proposed Jetty Repair Project** – The United States Army Corps of Engineers (USACOE) will be carrying out a project to repair the East and West jetties and wing walls located in Kennebunk and Kennebunkport. It is necessary for the USACOE to acquire a temporary work area easement for the property described below:

Tract No. 101E (Gooch's Beach, Kennebunk)

A path of travel measuring 30 ft. wide starting from Beach Avenue N 187745.01 E 2869329.05 and traveling approximately 120 ft. in a southeasterly direction until the high tide line is reached, containing approximately .11 acres.

This temporary easement will be for a period not to exceed one year, beginning May 1, 2021.

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

Pardue spoke of the workshop on October 26, 2020 with Kennebunkport and the U.S. Army Corps of Engineers. He mentioned he spoke to the Project Manager, Coral Siligato, today and confirmed the jetty repair project would run from Labor Day 2021 to Memorial Day 2022.

Brewitt asked about the Kennebunkport side of the project and if their beach will be closed. A short discussion ensued.

A motion was made to authorize the Town Manager to sign the document entitled “Waiver of Rights Under P.L. 91-646 and Statement of Intent to Donate Property for the Kennebunk/Kennebunkport Jetty Repair Project” and to grant a Temporary Work Area Easement (Standard Estate No. 15),” allowing a temporary easement and right-of-way in, on, over and across the land described as Tract No. 101E (Gooch's Beach Kennebunk).

MOVED: Karytko

SECONDED: Schulte

VOTE: 7 in favor, 0 opposed. The motion passed.

b. **Discuss Any Other Business of the Board - none**

10. SELECT BOARD COMMENTS

a. **Subcommittee Reports**

Schulte mentioned the Transfer Station Task Force met today. A survey will go out, online and on paper. The idea is to gather information about the current use of the whole site (not just transfer station) and receive input from users to make decisions about the future use of the transfer station and the Public Services facility.

Berry said we'll need to do some education on the entire waste process. Thanked the staff (Chris Osterrieder, Karen Winton, Bryan Laverriere) who have been instrumental in putting the survey together to get it out to the public in a timely manner.

Schulte and Berry encouraged residents to fill out the survey.

It was noted that three surveys will be going out. Pardue said the Transfer Station is the lead survey, followed by branding, then connectivity. They are appropriately spaced.

b. **Individual Select Board Member Comments**

Berry, Schulte, Ward, Brewitt, Paul and Baldwin: none

Karytko: Mentioned that the Lions Club has a box by the Town Clerk's Office for used hearing aids, eyeglasses, cell phones. Said that any torn and tattered flags can be brought to the American Legion on Water Street where they will be taken care of appropriately. Thanked Public Services for keeping the roads clean during the last storm.

11. TOWN MANAGER ANNOUNCEMENTS

- a. **Update on the Beach Revetment Project**
- b. **Update on the Seawall Project**

Pardue asked Osterrieder to offer updates on these two items.

Regarding the revetment, Osterrieder said most of the major inconveniences should be minimized. The armor placement will be finalized in the next few days, hauling should be ending. We'll be transitioning to the sidewalk and road restoration. With the approval of the road closure tonight, we will be moving into the seawall construction project. Completion dates are ahead of schedule. We are in a good state on a budget standpoint and a product delivery standpoint, said Osterrieder.

- c. **Virtual Select Board Outreach Session – Saturday, February 20 from 8:30-9:30 a.m. via Zoom**
Sessions are hosted by two Select Board members, providing residents with a chance to talk with them in a non-meeting setting. Visit our website calendar at www.kennebunkmaine.us/calendars for login information.

Paul said the February session had a couple of attendees; two residents tuned in but they'd love to have more. Berry asked for two volunteers for the March 20th session. Ward and Karytko agreed to host that session.

12. EXECUTIVE SESSION

13. ADJOURNMENT

At approximately 8:15 p.m., a motion was made to adjourn tonight's meeting.

MOVED: Schulte
SECONDED: Karytko
VOTE: 7 in favor, 0 opposed. The motion passed.



L. Blake Baldwin, Chair
Wayne Berry, Vice Chair
Shiloh Schulte, Secretary
Kennebunk Select Board

Date 3/9/21