

KENNEBUNK SELECT BOARD MEETING MINUTES
TUESDAY, MAY 25, 2021 – 6:30 P.M.
ZOOM TELECONFERENCE MEETING

1. Call to Order

The meeting was called to order at 6:30pm by Chair and presiding officer L. Blake Baldwin, who then led attendees in the Pledge of Allegiance. Those in attendance were:

Present: Select Board members L. Blake Baldwin [Chair], Wayne E. Berry [Vice Chair], Shiloh A. Schulte [Secretary], Edward Karytko, Frank G. Paul, and William A. Ward, Jr.; six voting members in total.

Absent: One seat on the Select Board is currently vacant.

Also Present: Michael Pardue [Town Manager], Joel Downs [Finance Director], Chris Osterrieder [Director, Community Development]; Karen Winton [Deputy Director, Community Development], Brian Laverriere [Director, Public Services], Tasha Pinkham [Director, Parks & Recreation], and Merton Brown [Town Clerk.]

2. Approval of Minutes

The Board reviewed the minutes of its Regular Meeting of May 11, 2021.

A motion was made to accept the Minutes of May 11, 2021 as presented.

Moved: Karytko

Seconded: Schulte

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

3. Items to be Signed

There were none.

4. Public Hearing

The Chair formally opened a public hearing at 6:34pm and explained how the public could voice questions or concerns by telephone or via the Zoom platform. He then initiated discussion of several applications.

a. **Nourrir LLC d/b/a Boulangerie – A Proper Bakery:** Application for a Special Amusement Permit for activities at 5 Nason's Court #12.

There being no Board or public comment, a motion was made by E. Karytko.

MOTION: To approve the Special Amusement Permit for Nourrir LLC d/b/a Boulangerie – A Proper Bakery.

Moved: Karytko

Seconded: Schulte

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

- b. **Saigon Garden LLC d/b/a Kennebunk Rice and Noodles:** Application for a Liquor License and a Victualer License for a commercial enterprise at 8 York Street.

MOTION: To approve the Liquor License and Victualer License Applications for Saigon Gardens LLC d/b/a Kennebunk Rice and Noodles.

Moved: Karytko

Seconded: Schulte

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

- c. **Special Project CDBG Grant:** Board members then took up the topic of the CDBG Grant that will provide assistance to Nest and Mullen in the aftermath of that business suffering a devastating fire.

Public comments were solicited and will be submitted as part of the Project Development Phase. Persons wishing to make comments or ask questions about the acceptance of these funds were invited to comment via Zoom, comment via telephone, or submit comments in writing to Karen Winton, 1 Summer Street, Kennebunk, ME 04043.

Winton stated that this is the second public hearing on this Grant. The prior hearing resulted in a letter of intent. The next step, Winton said, is for the Town to commit to adhere to a variety of federal guidelines such as non-discriminatory housing and hiring.

Ward questioned the Town's housing and employment obligations under this Grant. Winton responded that no formal "policing" is required and that an existing Town committee will review the Town's employment and housing policies to ensure that they dovetail with federal standards. There are no other requirements.

The public was invited to comment. John Costin questioned whether the Town had non-discriminatory housing and hiring policies in place. He recommended that the Select Board consider a more formal articulation of Town policies on these topics.

There being no further public comment or question, the Chair closed public comments.

MOTION: To accept the Special Project CDBG funds from the Department of Economic and Community Development as noted above and to sign all required Project Development documents.

Moved: Karytko

Seconded: Schulte

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

K. Winton reminded Board Members to kindly stop by the Town Office on Wednesday, May 26th to sign time-sensitive Grant documents.

- d. **Warrant for the Annual Town Meeting of June 8, 2021 with the FY 21/22 Budget.**

Downs offered a brief PowerPoint presentation on the Town's 2021/2022 Budget. He made these main points: (1) all key Budget documents are available on the Town's website or can be obtained upon request; (2) expenses in the coming period are projected to total \$10.8 million, a 9.7% period-on-period increase; and (3) property taxes are projected to increase from a current mill rate of \$14.15 to an estimated \$14.60 mill rate in the next period, a modest 2.3% increase.

There being no Board or public comment or question, the Chair formally closed the public hearing at 7:01pm.

5. Public Comments

The Chair invited other comments or questions. There were none.

6. Acknowledgements and Announcements

a. Staff Changes

- **Retirement:** The Chair noted that Sergeant Darrell Eaton has announced his retirement from the Kennebunk Police Department with an effective date of June 1, 2021. Sgt. Eaton's retirement comes after 31 years of dedicated service to the community. On the Board's behalf, the Chair thanked Sgt. Eaton for his many years of service keeping the Town safe. Baldwin wished Sgt. Eaton good health and happiness in the years ahead.
- **Promotion:** The Chair next advised the Board that Officer Michael Tucci had been promoted to the rank of Sergeant on May 19th, filling the vacancy created by the retirement of Sgt. Eaton. Sgt. Tucci has been with the Kennebunk Police Department since 2006. Since 2016, he has been assigned to a split role of Detective/Officer. Sgt. Tucci is a Field Training Officer, Civil Rights Officer, graduate of the FBI LEEDA – Supervisor Leadership class, as well as a certified instructor for the Maine Criminal Justice Academy. Baldwin offered the Board's congratulations to Sgt. Tucci for his promotion.
- **New Hire:** Baldwin likewise notified the Board that Jeanne Brooks, a former Town employee, became the full-time Administrative Assistant with the Kennebunk Police Department on May 18, 2021. Prior to this role, Jeanne had worked for the Town's HR and Finance Departments for over 30 years until retiring in 2019. She also provided part-time administrative support for KPD in 2020 and 2021. The Chair and Board welcomed Jeanne back.

b. Donations:

The presiding officer cited two recent donations:

- \$25 from Herbert and Linda Brodsky in memory of Richard Gordon
- \$50 from Sarah Moore, M.D. and Denise Doyon in memory of Richard Gordon.

MOTION: To accept the donations listed above and send letters of thanks to the donors for their contributions.

Moved: Karytko

Seconded: Schulte

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion carried.

c. Update from the Town Manager regarding COVID-19 and the Town's Preparedness Plans

- **Workplace COVID Task Force:** Pardue reported that this Task Force was "sun-set" or retired on May 25, 2021. Town departments have safely reopened, are now operating at 100% capacity, and are reverting to regular office hours.

- Kennebunk COVID Task Force: This Task Force, Pardue reported, met for the last time on May 24. He commended that group as well for its fine work. Feedback from local businesses continues to be upbeat and positive.
- Parks & Recreation Department Programs: Pardue informed Board members that a variety of summer programs are being rolled out with attention to health and safety concerns. Director Pinkham described the Town's 8-week summer camp and briefly itemized a number of special events — concerts in the park, wiffle ball, charity events, ball games, and others — all in compliance with CDC guidelines.

7. Time Sensitive Business and Staff Presentations

a. Boards and Committees

The Chair informed the Board of the resignation of Justin Young from the Town's Economic Development Committee.

MOTION: To accept the resignation of Justin Young from the Economic Development Committee and send a letter thanking him for his service.

Moved: Karytko

Seconded: Berry

Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

- b. **Department Overview** – As part of the ongoing series of Department updates organized by Pardue, the Board heard a presentation on the Town Clerk's Office from Merton Brown. Brown provided an overview of the Office's activities and statistics on voting and permit frequency. The pandemic, he said, caused a huge surge of absentee voting (83% of total votes in the 2020 Presidential Election), and there have also been increases in requests for sundry certificates and permits. The Town Clerk's office received a \$55,000 grant for new voting booths and computer upgrades. Going forward, the Town Clerk's Office intends to codify Town policies and create a digital compendium of overall policies and procedures.

Pardue and Baldwin extended thanks to M. Brown for his unit's service.

8. Old Business

a. Comprehensive Plan

As Janice Vance was unavailable for participation at this meeting, Pardue shared a "Critical Path Timeline" itemizing completion dates for the many tasks to be done for the Comprehensive Plan. Pardue and Downs will meet with Vance on May 26th to discuss outstanding data needs and these timelines. The timing, Pardue observed, is aggressive. The Chair invited public comment, but there was none.

- b. **Update on the LED Streetlight Initiative:** Baldwin stated that, as authorized, he [the Select Board Chair], Vice Chair, and members of Town staff have met with representatives of the Energy Efficiency Advisory Committee and Kennebunk Light and Power District to identify a sound approach for advancing the LED streetlight initiative. Discussion on the topic had taken place at the Board's prior meeting, with extensive input from Board members as well as the public at large. At that prior meeting, most Board members and all public commentators were of the opinion that the services of a street lighting consultant would be beneficial for this initiative. The Chair therefore asked that a motion for consultant services be put forward at today's meeting.

Karytko voiced objection. A consultant, he said, was an unnecessary expense and would delay the project time-wise. Karytko nevertheless made the following motion.

MOTION: To authorize the Town Manager to engage the services of a street lighting consultant to review the Town of Kennebunk's existing "Long Term Street Lighting Policies" to ensure that those policies meet current industry and municipal standards for public safety and to make recommendations regarding the status and adequacy of the Town's current light system .

Moved: Karytko

Seconded: Berry

Vote: Roll call vote. 4 votes in favor, 2 opposed [Karytko, Paul]; the motion passed.

c. Transfer Station Task Force

Task Force members Berry, Osterrieder and Winton provided an overview of the project, which is now complete. The team's conclusion, Osterrieder stated, is that the current Transfer Station site is the best of 8 options. It can accommodate the new "Town barn" or garage, and the cost for it at the existing site will likely be lower than originally projected because incursion onto wetlands can be mitigated. Winton added that public participation was particularly helpful and had surfaced public calls for a number of other services or uses. Berry and Laverriere noted that contracts with the Station operator and other parties expire in 2025, hence advance planning and timely action are important.

Robust discussion on the topic ensued. The Chair concluded that this project has two primary objectives – (1) public services, and (2) the Transfer Station – with other uses being of lesser importance. Pardue agreed to bring forward a draft of the design for the public services and Transfer Station site by the end of June.

d. Select Board By-Laws

Chair B. Baldwin provided a brief update on the status of the by-law revisions which are under way. The Town's by-laws, he said, are 18 years old with some updates. Many Board activities such as rules of order or communications are not rooted in any formal rule or policy. Some Town's by-laws, he said, may not be in strict conformance with prevailing State laws. Town Counsel, Baldwin concluded, should review the by-laws and recommend changes and/or revisions.

Public commentator Rachel Phipps added that the public also has interest and should have input.

9. New Business

a. Select Board's Summer Meeting Schedule

The Chair noted that in previous years, the Board elected to cancel one meeting in July and another in August to accommodate staff and Board-member vacation schedules. If the Board chooses to continue this practice, Baldwin said, it might agree to hold its July meeting on July 20th and August meeting on August 24th. However, a special meeting of the Select Board could be convened whenever a pressing matter presents itself.

MOTION: To hold Select Board meetings for July and August on July 20th and August 24th, 2021.

Moved: Karytko

Seconded: Berry

Vote: Roll call vote. 5 votes in favor, 1 opposed [Karytko]; the motion passed.

b. **Other Business**

Pardue noted that members of the community have voiced strong support for Kennebunk's "Treasure Chest". He suggested balancing public interest and safety concerns by having this service operate on Saturdays, eliminating Friday service. The Board said they were in support of Pardue's idea of reopening the Treasure Chest on Saturdays only for now, with an envisioned opening date of Saturday June 5th or June 12th, based upon the availability of the volunteers that staff this location.

10. Select Board Comments

a. **Subcommittee Reports**

There were none.

b. **Individual Select Board Member Comments**

The chair then solicited the comments of individual Board members;

Baldwin: No comment

Berry: Offered birthday good wishes to Pardue.

Schulte: Will be "off the grid" during June, returning in July.

Paul: No comment

Ward: Thanked the Transfer Station Task Force and specifically Berry, Schulte, and participating staff.

Karytko: Torn flags can be taken to the American Legion; used eye glasses can be left at the Town Clerk's office. Notified the public that a public hearing on York County finances will take place on June 2nd via Zoom.

11. Town Manager Announcements

Pardue next made the following announcements:

a. **Town's Branding Initiative:** A "Community Opinion Survey" is in the works, with much broader scope than "branding" research. It is polling the views of residents and local merchants on their likes, dislikes, desires, and vision. It should, Pardue said, give valuable input to aid the Board's strategic planning initiative.

b. **Monday, May 31st – Memorial Day:**

- Town offices, the Department of Public Services, and Transfer Station will be closed.
- There will be no change in curbside trash and recycling collection.
- Representatives of the American Legion and Veterans of Foreign Wars will place a wreath in the Mousam River from the Route 1 Bridge at 7:00am, followed by stops at local cemeteries and memorials at KHS, Centennial Park (aka Cannon Park across from the Library), and Washington Park (next to the Police Department). Due to the pandemic, the American Legion will not hold a parade this year.

c. **Tuesday, June 8th – Annual Town Meeting/RSU 21 Budget Validation Referendum**

The Annual Town Meeting and Budget Referendum will take place from 6:00am to 8:00pm in the Town Hall Auditorium. Information on absentee ballots was noted.

- e. **Beach Permits:** Permits for the 2021 season are available at the Town Office. For resident/taxpayer permits, proof of residency or property ownership is required. Beach permits are required from June 15 to September 15.
- f. **Buy-A-Brick for the Waterhouse Center:** The Town is now accepting orders for the fall installation of personalized, engraved bricks at the Waterhouse Center pavilion.
 - Visit www.kennebunkmaine.us/buyabrick to buy a brick online or to download an order form. Forms can also be found at the Town Hall, 2nd floor lobby.
 - June 30th is the deadline for this year's order of bricks to be installed in the fall.

12. Adjournment

There being no further business, the Chair adjourned the meeting at 9:04pm.

Moved: Karytko

Seconded: Berry


Vote: Roll call vote. 6 votes in favor, 0 opposed; the motion passed.

Respectfully submitted by J. Schlagheck, Recording Clerk

Adopted by the Board at its meeting of June 8, 2021

Signed by

Select Board Member (Signature)



(Printed name)

L. BLAKE BALDWIN