

**TOWN OF KENNEBUNK  
SELECT BOARD MINUTES  
TUESDAY, JULY 14, 2020 – 5:15 P.M.  
KENNEBUNK TOWN HALL  
3<sup>rd</sup> FLOOR, ROOM 301**

**1. CALL TO ORDER**

On Tuesday, July 14, 2020, at approximately 5:16 p.m., L. Blake Baldwin, Chair of the Select Board for the Town of Kennebunk, called to order the Regular Meeting of the Select Board. Present were Select Board members L. Blake Baldwin, Edward Karytko, Christopher Cluff, Frank Paul and Wayne Berry.

Select Board member William Ward, Jr., joined the meeting at 5:25 p.m.  
Select Board member Shiloh Schulte joined the meeting at 6:30 p.m.

Also present was Town Manager Michael Pardue.

**2. EXECUTIVE SESSION**

- a. **Discuss Economic Development Matters** with the Town Manager, Finance Director, Director of Community Development and Town Legal Counsel 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 Matters of Litigation** with the Town Manager and Finance Director and Town Legal Counsel - Title 1 MRSA Sec. 405(6)(E).

**At 5:16 p.m., a motion was made to enter into executive session, with the Town Manager, Finance Director, Director of Community Development and Town Legal Counsel, to discuss:**

- **Economic Development Matters, pursuant to Title 1 MRSA Sec. 405(6)(C) and**
- **Matters of Litigation, pursuant to Title 1 MRSA Sec. 405(6)(E).**

**MOVED: Karytko**  
**SECONDED: Cluff**  
**VOTE: 5 in favor, 0 opposed, 2 absent (Ward, Schulte). The motion passed.**

Ward joined the meeting in executive session at 5:25 p.m.

**At approximately 6:29 p.m., a motion was made to exit executive session.**

**MOVED: Karytko**  
**SECONDED: Cluff**  
**VOTE: 6 in favor, 0 opposed, 1 absent (Schulte).**

Upon exiting executive session, the Board had nothing to report.

Schulte joined the meeting at 6:30 p.m.

**3. PLEDGE OF ALLEGIANCE, APPROVAL OF MINUTES, ITEMS TO BE SIGNED**

The Pledge of Allegiance was recited.

- a. June 23, 2020 Regular Meeting Minutes [Please refer to supporting material \(PDF\)](#)

**A motion was made to accept the minutes as presented.**

**MOVED: Berry**

**SECONDED: Cluff**

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

4. PUBLIC HEARINGS - none
5. PUBLIC COMMENTS - none
6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

a. **Thank you to Outgoing Select Board Member Christopher Cluff, Whose Term Will End July 14<sup>th</sup>** – We would like to thank Chris Cluff for his service on the Select Board. Chris has served the Town as a Select Board member for six years. During that time, Chris has served the Board in several capacities to include Vice Chair and Secretary. Chris has also served on the PAYT, Ordinance, and Finance Subcommittees of the Board and as the Board’s liaison to the Bicentennial and Economic Development Committees during his tenure. Chris’s unwavering commitment to the betterment of Kennebunk has aided in moving our community forward, without negatively impacting the character of the town. His thoughtful and pragmatic approach to topics will be sorely missed. We wish him the very best in the future.

b. **Appointment to Elder Justice Coordinating Partnership** – On July 1<sup>st</sup>, Kennebunk Police Department’s Elder Crime & Community Relations Officer, Candice Simeoni, was appointed to the Elder Justice Coordinating Partnership by Governor Janet Mills. Officer Simeoni will be serving as a representative of the Maine Chiefs of Police Association.

This appointment further exemplifies Candice’s ongoing effort to advocate for the well-being and health of our elder population.

c. **Accept the following Grant:**

- **Keep Maine Healthy/2020 Municipal COVID-19 Awareness Campaign** – The Town was recently awarded a grant from the Department of Health and Human Services, Maine Center for Disease Control and Prevention in the amount of \$154,981. This grant is for expenses incurred and expected to be incurred from June 8, 2020 through October 31, 2020. The expenses covered are for public education activities, physical distancing and public health support, and for local business education. Estimates were developed for the grant application. Staff is refining the expected budgeted expenses and developing a plan for the work to be performed during this summer and fall time period.

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

Pardue commented on this agenda item.

Berry cited that it was noted that they are looking to employ a part-time best practices educator; he asked if that is something they have in-house now or something they have to go outside to find it. To that, Pardue said they’re going to try to do it from in-house services.

**A motion was made to accept the grant from the Department of Health and Human Services, Maine Center for Disease Control and Prevention and agree to the terms outlined in the grant application and award letter.**

**MOVED: Karytko**

**SECONDED: Cluff**

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

- 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
  - 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.

This agenda item was introduced, with Pardue and then Baldwin speaking. Pardue referenced the efforts of the Community Reengagement Task Force and their recent review of the proposed restart of pickleball. Baldwin, who serves on the task force, discussed the efforts ongoing to get pickleball started up again in Town. He talked about how a recommendation from the National Pickleball Association (NPA) was put forth by the pickleball group in Town. The NPA document speaks to how pickleball can be played in a safe manner. Baldwin discussed the rules in that recommendation. He discussed other plans of the pickleball group. He explained how the recommendation to the Community Reengagement Task Force for approval of the plan to allow the pickleball players to play that sport again is now with the Select Board.

Pardue said too that if this Board were to approve play to resume, their recommendation is that play not be permitted until Friday at the earliest, perhaps Monday, July 20<sup>th</sup>, which, Pardue said, would allow a good communications plan (proper signage, importance of physical distancing, wearing masks when not playing, etc.

Karytko asked if they have to formally approve this. To that, Pardue said you had previously granted that authority to him as Town Manager but he wants to make sure that they have unity on this proposed restart; he said he's looking to see if anyone is vehemently opposed to this.

Schulte said the precautions sound good to him but there is the question of how closely they will be followed. He said they can always reverse direction if it's not going well.

Paul said tennis has been going on for a while. To that, Pardue said they have had no negative reports regarding tennis play under Covid-19 conditions.

Pardue then discussed the Workplace Reengagement Task Force, saying he commends their excellent work.

Pardue also noted the COVID-19 Community Resources in the Kennebunks.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS - none

8. OLD BUSINESS

- a. **Discuss the Timing and Amount of General Obligation Bonds to be Issued** – This was discussed at the Board's June 23<sup>rd</sup> meeting.

During the June 11, 2020 meeting of the Select Board Finance Subcommittee, the members discussed the bonds currently authorized but not yet issued. The Town's Bond Advisor, Joe Cuetara of Moors & Cabot has recommended we issue bonds during the latter part of this summer due to favorably low interest rates. The question is whether to issue \$6,218,900 or \$9,432,000, if the additional \$3,213,100 of debt (or a portion thereof) is authorized at the Annual Town Meeting referendum vote on July 14, 2020.

[Please refer to supporting material – General Obligation Bonds Info \(PDF\)](#)

Finance Director Joel Downs spoke briefly.

Berry said the big plus he sees right now is that the interest rate is relatively low. He made further comment.

Karytko asked why they wouldn't issue the bonds especially with the interest rate being low. To that, Cluff responded, saying typically they don't fund the bonds until after they spend the money.

Discussion continued. Ward brought up the interest rate curve. Downs responded to him.

**A motion was made to authorize the Finance Director to issue bonds up to \$9,432,000 as long as the budget passes tonight.**

**MOVED: Cluff**

**SECONDED: Karytko**

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

## 9. NEW BUSINESS

- a. **Discuss Proposed Metrics for Determining Whether to Hold Select Board Meetings in Person or Remotely** – During this time of COVID-19, the Board is trying to convene in a manner that provides for the best possible meeting dynamics, while being very cognizant of the safety measures prescribed to inhibit the spread of the coronavirus. Select Board member Schulte will discuss a formula he proposes be considered for determining when appropriate to hold meetings in person and when appropriate to hold meetings remotely.

Schulte presented the formula referred to in the paragraph above. He said two things he wanted to look at were active cases of COVID-19 in our community and the percentage of positive tests in our community. He elaborated. He said he would propose that they hold in-person meetings if their percent positive tests for COVID-19 are under 5% (right now statewide, unless more local numbers can be found). He said this way they can act based on some objective standards.

Karytko said he feels uncomfortable being driven by what might be happening in Scarborough (getting at the point that the numbers that Schulte suggested as being what determines whether or not a meeting is held in-person may not be specific to Kennebunk). To that, Schulte said plenty of people interact with people who are not living in Kennebunk.

Karytko asked what it costs them for a Zoom meeting. To that, Pardue said it's a subscription on an annual basis. He said he thinks it's about \$159 annually.

Paul said he enjoys meeting in person.

Karytko asked Schulte if he perceives that this might affect some of the other decisions they have already made too. Schulte said it's something they could address. He said this policy he's talking about would be affecting indoor meetings specifically.

Pardue got clarification that Schulte's proposed parameters would be applied for all boards and committees. Schulte sought to make it clear that none of this would require that people meet in person (and there is still authorization from the State to meet via online methods for meetings).

**A motion was made to adopt a set of metrics to determine whether to hold Town board and committee meetings in person or remotely, with the metrics being the percent positive COVID-19 cases being under 5% or the total number active cases in York County under 85. If both of those metrics are met, they could meet in person. If either are not, they would meet remotely.**

**MOVED:** Schulte

**SECONDED:** Ward

The intention is that both metrics need to be met in order to meet in person, Schulte clarified for Baldwin when he asked for clarification regarding such.

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

- b. Discuss the Use of a Town Facility by Community Outreach Services** – The Board will discuss permitting Community Outreach Services (COS) to temporarily use a Town building for delivery of services, to include food distribution.

Christopher Osterrieder, Town Engineer and Director of Community Development, discussed this topic. He discussed the food pantry and how it is being looked at to have a more-so “food library” so people can come and go and get what they need instead of having people go there all at once at a designated time. He said they have space available at the Teen Center. He noted improvements that would have to be made to the building. He said if that didn’t end up being the long-term home of the food pantry, there is nothing they would be doing in terms of the improvements to the building that couldn’t translate to another use for the Town.

Berry gave an update on the Social Services Subcommittee’s discussions on this topic. He said he thinks this is an opportunity for the Town to step in and fill a need that’s there. He also noted that this is time sensitive.

Ward mentioned the needs for the structure of the Teen Center. He asked if all of this will be able to get rectified within the Budget in order to make the building habitable. To that, Osterrieder said most of the issues Ward mentioned have previously been mitigated. He made further comment. Ward also asked what they would be doing with the people who had been going to the Teen Center. Pardue responded to Ward. In part, he said certain teen programs have been able to be offered at the schools. He said that would be their continued effort.

Ward said he is very much in favor of this.

Schulte said this is a really important service to their community. He mentioned an assessment of traffic flow and he wondered if there has been any additional insight on that aspect. Osterrieder responded to Schulte with some analysis on such traffic insights.

Karytko said a lot of the food that was coming in before was perishable. Karytko said they haven’t sat down and determined what the total picture is going to be. He said that would be a concern of his.

Berry made additional comments, saying let’s clean it out, see what the facility is. He stressed the importance he sees in moving on this instead of sitting on it as time is of essence if there is a current need to assist our residents.

Discussion continued. For example, Schulte discussed the topic of how this fits strategically within what they want to do with the Town.

Costs were brought up. Osterrieder said costs for repairs to the Teen Center are probably somewhere between \$9,000-\$15,000.

Karytko said he will vote against the motion because they haven’t vetted everything they need to vet.

**A motion was made to authorize the Town Manager to enter into a memorandum of understanding with COS to operate their food pantry out of the former teen center.**

**MOVED: Cluff**

**SECONDED: Ward**

**VOTE:**

**Before a vote could be taken, an amendment was made: To authorize the Town Manager to make repairs as necessary to the Teen Center for this purpose.**

**MOVED: Berry**

**SECONDED: Ward**

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

- c. **Discuss the Status of the Medical Equipment Loan Closet** – In October of 2017, the Town’s Committee on Aging opened a Medical Equipment Loan Closet, providing free, durable medical equipment for loan to anyone in need. This lending program enjoyed immediate success with hundreds of pieces of equipment used throughout our community. In December of 2019, due to a lack of volunteers to manage and operate this lending program, the Closet temporarily closed as the Committee on Aging regrouped and worked on a plan to reopen. While COVID-19 delayed these plans, the program is set to begin again, now operated by local volunteer group No Place Like Home. No Place Like Home was founded by Molly Hoadley, who is also a volunteer with the Committee on Aging, and is a community based organization dedicated to providing direct assistance to older adults as they age in place. In support of this program, the Town has provided a distribution site adjacent to the Dorothy Stevens Center. The Town, and in particular the Committee on Aging, is deeply appreciative of this group’s commitment to restart this program.

Those wishing to borrow or donate equipment can contact No Place Like Home by calling (207) 558-2270, or learn more by visiting their website: [www.nplhmaine.org](http://www.nplhmaine.org).

Karytko asked if the distribution site adjacent to the Dorothy Stevens Community Center can be elaborated on in terms of what it is. To that, Pardue responded, explaining that the Town is using a storage unit at a cost of \$100 a month to house the medical loan equipment. He said too that they put a faucet on the outside of the Dorothy Stevens Center (that can be used to aid in the cleaning of medical equipment that may come in). He said that the Dorothy Stevens Center is a temporary site.

Karytko asked, if No Place Like Home is running this program, who is responsible for the liability, the insurance, etc. Pardue offered Karytko a response, citing that No Place Like Home owner Molly Hoadley had worked with Select Board member Baldwin and secured necessary insurances.

Berry asked if they have a Memorandum of Understanding (MOU) with No Place Like Home. To that, Pardue said they do not but that one is in the development stage.

**A motion was made to authorize the Town Manager to enter into a MOU with No Place Like Home to transfer operation of the medical equipment loan closet to them.**

**MOVED: Cluff**

**SECONDED: Ward**

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

**d. Discuss Any Other Business**

Baldwin referenced a strategic planning exercise he will be introducing to the Board.

Discussion continued.

Berry wondered if a meeting before their regular August 11<sup>th</sup> Select Board meeting should be in store. Discussion continued.

#### 10. SELECT BOARD COMMENTS

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

**Paul, Berry:** None.

**Ward:** Thanks to the Town employees for their work in getting the election process off and running well today. Thanks to the police and fire personnel for managing the beach situation in this time.

**Karytko:** Anyone with torn or tattered flags, bring them to the American Legion and we'll dispose of them properly. Karytko acknowledged the excellent work of the Town Manager and the Town staff during as they worked through the many challenges presented by Covid-19.

**Schulte:** It looks like the trees on Parsons Beach Road look like they're doing well.

**Cluff:** Thanks everyone saying, "it's been a great ride these last 6 years!"

**Baldwin:** We're going to miss having Cluff on the Board.

#### 11. TOWN MANAGER ANNOUNCEMENTS

Pardue made very brief announcements.

Town Manager Pardue thanked outgoing Select Board member Chris Cluff for his support and leadership over the past many years. Pardue also thanked the work of Town staff during this most challenging time of Covid-19, referencing staff members have remained diligent and nimble in the delivery of high quality services.

#### 12. EXECUTIVE SESSION (held earlier in meeting)

#### 13. ADJOURNMENT

**At approximately 7:29 p.m., a motion was made to adjourn tonight's meeting.**

**MOVED:** Cluff

**SECONDED:** Schulte

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



L. Blake Baldwin, Chair  
Kennebunk Select Board

Date: 8/14/20