

TOWN OF KENNEBUNK
BOARD OF SELECTMEN MINUTES

August 13, 2019 – 5:00 P.M.

1. CALL TO ORDER

On Tuesday, August 13, 2019, at approximately 5:04 p.m., in Room 301 of the Town Hall, L. Blake Baldwin, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Board of Selectmen. Present were Selectmen Edward Karytko, Wayne Berry, William Ward, Jr., Christopher Cluff, L. Blake Baldwin and Frank Paul.

Also present was Town Manager Michael Pardue.

Absent was Selectman Shiloh Schulte.

2. EXECUTIVE SESSION

- a. **Discuss an Economic Development Matter** 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, Finance Director, Director of Community Development and Town Legal Counsel - Title 1 MRSA Sec. 405(6)(E).

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: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

A motion was made to come out of executive session.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

Baldwin stated two items that came out of executive session, saying they will be speaking about it later in the meeting (Item 9E), saying they have worked out sources of funding for that that will not add to the tax rate; more on that coming later in the meeting. And referring to Item 9G of tonight's Meeting Agenda, Baldwin said they have a cost for dispatch that "we" feel is very cost effective for the Town, and we will have more on that later in the meeting.

The Regular Meeting of the Kennebunk Board of Selectmen resumed at approximately 6:30 p.m. The Pledge of Allegiance was then recited.

3. APPROVAL OF MINUTES, ITEMS TO BE SIGNED

- a. July 16, 2019 Regular Meeting [Please refer to supporting material \(PDF\)](#)

Berry stated had two minor changes he wanted to be made to the minutes.

A motion was made to approve the minutes from the Regular Meeting of July 16, 2019 as amended.

MOVED: Karytko

SECONDED: Paul

VOTE: 5 in favor, 0 opposed, 1 abstention (Cluff), 1 absent (Schulte). The motion passed.

4. PUBLIC HEARINGS

5. PUBLIC COMMENTS

Karytko commended Police, Fire and Rescue and Public Works. He also thanked the volunteers at the Family Fun Day in West Kennebunk, all the people that pitched in to make it a success this year.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

a. **Accept the Following Donations:**

1. **West Kennebunk Family Fun Day:**

- \$300.00 from George (Ted) Hissong, Jr. for the West Kennebunk Family Fun Day.

A motion was made to accept the donation and send a letter to Mr. Hissong thanking him for his donation.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

2. **Police Department:**

- \$1,000.00 from an anonymous donor for the Police Department in appreciation of their service. The Police Department would like to utilize these funds for officer safety equipment, such as bullet proof vests or other needs that arise in the near future.

The same donor has donated a new 43" Flat Screen Smart TV for the Police Department which will allow for the dissemination of pertinent information to people in the lobby.

A motion was made to accept the donations and designate the \$1,000.00 for officer safety equipment.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- \$1,000.00 from an anonymous donor for the Police Department in appreciation of their service. The donor would like to utilize these funds toward body camera mounts so each officer has a mount on their uniform. Officers currently need to take the mounts off at the end of their shift which has been found to be very inconvenient. This donation will provide a mount for each officer. This donation came forward during our National Night Out event, held on August 7, 2019.

A motion was made to accept the donation and designate the funds to be used for officer safety equipment.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

3. Parks & Recreation Department:

- Donation of a Beach Wheelchair by the SMILE Mass Beach Wheelchair Program, which believes everyone deserves a day at the beach, and we do too. The chair is able to go into the water.

A motion was made to accept the donation from SMILE Mass Beach Wheelchair Program and send a letter thanking them for their generosity.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- b. **SHAPE Award** – The Town of Kennebunk has once again been awarded the Department of Labor’s SHAPE award. The Safety and Health Award for Public Employers (SHAPE) recognizes public sector employers who maintain an exemplary safety and health management system. Acceptance into SHAPE by the Maine Department of Labor, Bureau of Labor Standards is an achievement that distinguishes organizations as a model for workplace safety and health. Kennebunk is one of a few select communities that continue to hold this designation.

We are proud of this designation and applaud Town personnel for their commitment to meeting the high standards required for this highly acclaimed recognition.

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

Pardue said a few words, complimenting the Town staff.

- c. **Deputy Town Clerk Carrie Weeman Recognized** for graduating from the New England Municipal Clerks Institute following her successful completion of an intensive three-year (one week each year) program of continuing education.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS

a. Update from the Police Department Regarding Traffic Enforcement Efforts

Police Lieutenant Eric O’Brien spoke regarding this agenda item. He said he thinks complaints about speeding is probably the top complaint they get. O’Brien explained that they want voluntary compliance of the rules of the road, that their goal isn’t to write everybody a ticket—they want to establish voluntary compliance with these established laws. He noted various ways they try to establish that, such as by having presentations in schools and using social media. O’Brien also noted that at tonight’s meeting is Officer Justin Titcomb, the new traffic safety officer. O’Brien explained what they do for their traffic assessments too; one thing he noted that they do for such is deploy JAMAR (a little box attached to a utility pole), which he said allows them to get more accurate numbers (more accurate numbers than when they have an officer in a cruiser whereby various people note their presence on social media and so forth). Having accurate numbers helps the police department allocate their resources appropriately, said O’Brien (they can focus their efforts on areas where there is more of a problem in terms of lack of traffic safety adherence).

Karytko spoke, saying he is always a little concerned about the idea of establishing voluntary compliance. He said, “some people just aren’t going to learn unless they get a ticket, he can guarantee that.”

Paul asked O'Brien what he attributes the number of traffic stops this year being so different than last year to (right now, in August, the police department has almost made the same number of traffic stops as they did for the entire year of 2018). To that, O'Brien said they've increased their staff a little (added a traffic safety officer, for example); that allows for more attention to be directed toward traffic-related offenses.

- b. **Set the Tax Rate for 2019-2020** – The Assessor, Dan Robinson, is completing the valuation updates and finalizing the mil rate.

The Town Assessor, Dan Robinson, explained that there was no shifting of property tax burden within different property types, which is a rarity. He went over an on-screen presentation. He explained too that they have always established three proposed rates but felt it might be a little bit more effective to bring one to the Board, and one of the reasons they only have one proposed rate for this year is because of the change in assessments. Robinson explained that the rate they are recommending is \$13.75 with a \$731,501 overlay (approximately 1.8% of the commitment; they've run between 1-2% for as long as Robinson's been here, and that's over 20 years). Robinson further elaborated on things such as projections. Robinson explained that one of the things that helped offset any increases in the County, School and Town budgets is that Kennebunk had approximately \$46 million in growth. Robinson said this was a unique year for personal property, for there was growth in personal property, a rarity.

Baldwin asked Robinson how much added value the process Robinson went through brought about. Robinson said that last year in real estate it was about \$700 million.

Karytko asked where they would be if Robinson hadn't made the valuation change. A discussion ensued. One thing said in response to Karytko is that ultimately what one would have seen is a higher tax rate and, lower value. Robinson also said that the rate is a result of the value and whatever our total commitment is.

Karytko said all he's doing is trying to make sure the public understands that their taxes are not going to go down because the mil rate is now \$13.75.

Discussion continued.

A motion was made to Set the Tax Rate for Tax Year 2019-2020 at \$13.75.

MOVED: Cluff

SECONDED: Ward

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- c. **Set Tax Due Dates and Interest Rates** – The property tax due dates for the coming year should be October 4, 2019 and April 3, 2020. The maximum allowed interest rate by state law for delinquent taxes for the coming year is 9%. Last year, we set the rate at the maximum, which was 8%. *Please refer to supporting material (PDF)*

Cluff asked if there is a mechanism such that they could move the April 3rd tax due date, just so you don't have to write so many checks in April and impact cash flow. Downs said you could move the date.

Karytko asked if there's a reason why it is being suggested that they go to the maximum of 9% for interest rate on delinquent taxes, adding that there are people who run into difficult times, and Karytko wondered if it is prudent that they charge a higher interest rate and cause more of a problem for them. To that, Downs said, in part, that it's an incentive to pay your taxes on time.

A motion was made to Set the Tax Due Dates for October 4, 2019 and April 3, 2020 with the interest rate on delinquent taxes at 9%.

MOVED: Cluff

SECONDED: Ward

VOTE: 5 in favor, 1 opposed (Karytko), 1 absent (Schulte). The motion passed.

- d. **Discuss an Administrative Consent Agreement for 15 Mill Street** – The Code Enforcement Officer has been working with the representative of Virginia Ricker and Donna Horne (property owners) to resolve certain violations of the Town’s Zoning Ordinance associated with the property located at 15 Mill Street. Staff has worked with the property owners’ realtor, legal counsel and the Town’s legal counsel to review options for mitigating this situation and development of the Administrative Consent Agreement.

The property was split in 1987 as a division of land. During this process, the prior property owner provided information to the Code Officer at the time and inquired about zoning compliance. The Code Officer had indicated the division of land would comply with zoning as presented to him. The information presented turned out to be erroneous and resulted in the creation of two parcels which were insufficient in size to comply with zoning, due to one being a two-family dwelling.

At this time, the Board is being asked to consider only the recovery of all expended legal fees.

[Please refer to supporting material \(PDF\)](#) to include memo from the Director of Community Development, Draft Administrative Consent Agreement, and the Town’s Procedures for Consideration of Administrative Consent Agreements.

Code Enforcement Officer Paul Demers spoke with regard to this agenda item.

Karytko asked if the property is not including the garage. To that, Demers said that’s on a separate parcel; this is only including the duplex lot (the homestead).

A motion was made to authorize the Town Manager to execute the Administrative Consent Agreement, with a fine, based upon legal fees, to be determined.

MOVED: Cluff

SECONDED: Ward

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

8. OLD BUSINESS

9. NEW BUSINESS

a. **Hear an Update from the Connectivity Workgroup**

Cluff, a member (Selectman Liaison) of the Economic Development Committee, spoke regarding this agenda item. He explained that the Connectivity Group is a subcommittee of the Economic Development Committee. Cluff said they really identified two pieces: (1) internet connectivity (looking at ways to improve that) and (2) cell technology issues (looking at how to improve that). Cluff said too that there’ll be some surveys being done of the Town residents to ensure that this is something that residents and businesses truly want, before they spend a lot of time and energy on this. Cluff stressed that this would be a process and wouldn’t happen too quickly.

Baldwin, also a participant on the Connectivity Workgroup, spoke relative to this agenda item, saying, in part, that this is a critical part of the infrastructure that businesses need in today's world. Baldwin said it's been a good group (the Connectivity Workgroup).

Ward asked if they have explored any grants for "that." Responding to Ward, Cluff said there was some potential for grants for feasibility studies and those have actually kind of gone by the wayside (the ones that they know about). Cluff said that what they're being told today is there may not need to be a substantial investment from the Town (the municipality in general), because that will be subsidized by the users at the end of the day (hopefully). Cluff said they met with Steve Buck, Town Manager of Sanford, and learned a lot about what they've done. Cluff said Sanford took a little bit of a different approach than what we're looking at, for one thing saying Sanford built theirs specifically for their business park and didn't include any residents, something Cluff said they want to include (they want to include residents) in their plan for Kennebunk.

Peter Brewitt, from the public, asked what entity owns the cable infrastructure in our town now. Responding to Brewitt, Cluff stated that his understanding is that there are several vendors in Town today (Spectrum, Consolidated and FirstLight to name a few.) Cluff added that there are a lot of other smaller vendors that may lease the lines.

Ward asked if there is any fiber optic in Town at all. He then was told that there is. Baldwin said the Town owns some from Town Hall to Waterhouse Center.

b. Discuss Possible Location of Skate Park Features

Marc Baron, resident and member of the Skate Park Committee, spoke about this agenda item. He said that since there are no real alternative locations for a skate park and Sea Road is not in a viable location, they would like to ask the Board of Selectmen to vote for Parsons Field to have the two small features, the design work for which has been paid for by the Town (the two features: small mini ramp and a small pirate ship feature).

Discussions ensued with Karytko asking if there was any "official "word" on the Sea Road location (in terms of if a skate park can be located there). Chris Osterrieder, Town Engineer, responded to Karytko saying that the Town has issued an RFQ to study that property; an evaluation of the site will be done.

Paul asked if there's room at Parsons Field. Jim Trentalange, member of the Skate Park Committee, responded to Paul. One thing he noted is that after they reviewed with the community, they had recommended not going with a full park at Parsons Field, they recommended going with two smaller features that can be entry-level features and if the other Sea Road site becomes a site maybe there could be a different type of a park there at Sea Road in the future.

Baldwin said he doesn't think they are going to vote for the two above-referenced features to go into Parsons Field. He said it's not within their purview to do that sort of thing in a meeting like this. Baldwin said he has two concerns: (1) the Town voted not to put a skate park or skate park feature into Parsons Field—that's the existing voice of the legislative body, and (2) Baldwin said he's trying to understand how it makes sense to have a toddler's playground "sandwiched" between two skate park features; he doesn't understand how those are not inherently incompatible uses. In response to Baldwin, Trentalange said most parks have skateboard facilities and skateboard features right within them.

Baldwin said it's abnormal when you place skateboard features right up against the playground, where toddlers and young children are playing.

Ward mentioned the sentiment he believes still exists, namely that people don't want a skate park at Parsons Field. Responding to Ward, Trentalange asked the Board for a vote to be brought to the public, one with an "even ballot wording" that would be equal for both sides, because Trentalange believes the ballot (regarding the vote as to whether or not people were in favor of a skateboard park at Parsons Field) wording was very "skewed" as it went to the ballot years prior and he doesn't think everybody knew what they were voting about.

Discussion continued with Cluff asking Tasha Pinkham, Parks and Recreation Department Director, if she has an opinion about these features being in a park. In response to Cluff, Pinkham said she does not. Then Trentalange said Pinkham has placed swing sets without any Board approval, votes or anything like that.

Cluff rearticulated the question he asked (noted in the paragraph directly above) and then Pinkham said she thinks she supports a park but that it's not her decision to know where to put the park, that's the Board's decision. Pinkham said skate parks do coexist with playgrounds; she said she would agree that she has not seen a skate park sandwiched between a playground, so maybe that's not the safest idea (but she said she is not the expert in placing of parks, nor playgrounds, to know what those diameters are).

Berry asked what was roughly the cost estimate that came in from California Skateparks for the two skateboard features. To that, Trentalange said it's less than what they have.

The idea of the Skate Park Committee crafting questions to be put on a ballot, questions relative to the topic of skate park at Parsons Field, was discussed.

A resident from Nasons Court, spoke, saying her two boys are 19 and 17 and have been skateboarding at the park where it is right now and love it, and have been there (the skate park) for 12 years. She said the Town needs to renovate it. Referring to the request to place two skate park features at Parsons Field, she said her 19-year-old boy will go on the ramp, and skateboards make a lot of noise. She said they don't want that noise. She added that it's not true that there will only be little kids at new skateboard features; it's going to be teenagers and they'll go in the park in groups and then little kids won't be able to go there.

Eric Peterson, a part of an association in Nasons Court, at Village Green Condominiums, spoke. He said he thinks the Skate Park Committee is so close to the mission that they've lost sense of the fact that the people have spoken twice on this topic; they specifically were asked to vote for money to improve the skate park. He said that the way it was worded to him was such that it was very clear that it meant improvements to the current skate park; he said he thinks that a lot of people hold that same interpretation of the wording of the ballot question he's referring to. So, said Peterson, the idea of taking that money and not improving the current skate park but doing it somewhere else is a shift away from the intent of what people thought they were voting for. Peterson also cited a straw vote which asked people if there was a desire to have a skate park at Parsons Field, and Peterson said the answer to that was overwhelmingly no.

Sharon Staz, from the public, said she remembers being in this room and hearing William Dale, who was the Town Attorney, indicate and make a ruling that the \$100,000 (approved via the vote Peterson mentioned above) could be used anywhere in Town on a skateboard park. Staz noted that there are people who will not allow their children to skateboard at Factory Pasture Lane, something the Skate Park Committee knows about, and that's why, she said, the Committee started to look at other sites.

Baldwin then said attorneys' opinions are a dime a dozen; the attorney referenced above by Staz is not the legislative body. Baldwin said he thinks the majority of people understood that that (the vote for money for a skateboard park) was going to be for work on Factory Pasture. To that, Staz said that if that is the feeling of all 7 Selectmen then she would really say it has been very disingenuous of the majority of the

Board to offer other places to put a skateboard park when you feel the money can't be spent for that. To that, Baldwin agreed, saying he thinks this went "off the rails" when the previous town manager allowed the Committee (Skate Park Committee) to make a decision that was not within the purview of either that Committee or the town manager.

Baron said he agrees with Staz and said he resigns as a member of the Skate Park Committee.

Baldwin said they should have stopped this years ago, to which Karytko said he disagrees. Karytko said that from his perspective the reason why they gravitated away from Factory Pasture Lane is because they were listening to the skateboard people. He said if we're going to do something, we should do it right; just throwing something into an undesired location and thereby throwing money away is not intelligent.

Discussion continued, such as regarding the possibility or lack thereof of putting a skateboard park at Sea Road; Osterrieder noted some of the difficulty of placing a skateboard park there. Karytko mentioned the idea of the Skate Park Committee raising the money for a skateboard park at Sea Road. One thing Osterrieder emphasized is that a Sea Road skate park would likely be far more than \$90,000.

One thought Karytko had is whether there is a chance to move the playground to another part of Parsons Field so it's not directly connected to the skate park.

Trentalange said he thinks the skateboard park community is committed and will raise funds for the skateboard park itself; they're not going to raise money for parking lots and things like that; no baseball players or soccer players have been asked to raise money for parking lots.

Paul Beaudoin, a resident of Winter Street, spoke. He expressed his feeling that Factory Pasture Lane is not a safe location for a skate park, noting that for over 30 years directly across the street from the current skate park is an outdoor storage area of for new telephone poles that he believes are treated with Penta (a dioxin which causes cancer, said Bowdoin), which creates a plume of highly toxic carcinogens and brings anyone nearby into close contact with dioxin.

Cluff said they have been kicking this (the topic of skate park in Kennebunk) around for 10 years.

Rich Bento, residential property owner in Nasons Court, Village Green, spoke. He asked how much confusion will be generated, at the voters' level, if a question comes up on another referendum ballot concerning Parsons Field. He said that to him that would be the ultimate in confusion. He said that they voted on this before; what would the public's perception of including another referendum ballot concerning Parsons Field be?

Beaudoin spoke again, stressing that if they can't build a safe park, they certainly shouldn't build one at all. He said the park now has graffiti, bottles, trash.

Ward wanted to have possible alternative locations for a skate park reviewed.

Discussion regarding locations ensued.

Peterson talked about public-private alliances.

A resident said she went to the current skate park with her kids when they were 6 and 8 and it was very secure and smelled like oak. She said her kids love the park compared to other parks they've been to.

Baldwin requested that the Town Manager and his staff work to give the Board a list of possible sites, the rough costs involved in making the skate park work at those sites and bring that back to the Board at their next meeting. Pardue stated that the requested timeframe was not achievable due to the necessary due diligence required, coupled with the other numerous projects staff members are working on, many time sensitive. He agreed staff would do their best to work as quickly as possible toward this request.

Osterrieder said there may be a perception that something isn't safe but to make a conclusion about something without collecting the data and facts, to him is almost negligence.

- c. **Discuss a Road Acceptance Request for Howard Farm Subdivision** – Dan & Greer Higgins have developed a subdivision that was reviewed and approved by the Kennebunk Planning Board in June of 2016 in accordance with the Land Use Ordinance as well as the Street Design and Construction Ordinance. The developer has presented the requisite materials outlined in Section 8.4.2 of the Street Design and Construction Ordinance for the proposed road acceptance of Higgins Drive in the Howard Farm subdivision. The road is located off Thompson Road on the northerly end toward Alewife Road.

The work was inspected by the Town Engineer during construction and has been determined to comply with the standards set forth in the Ordinance and the developer has submitted the necessary information. Road acceptances must be approved by a Town Meeting vote.

A motion was made to send the Road Acceptance Request for Higgins Drive to a public hearing on September 10, 2019 to receive public comment and to place a warrant article before the next Town Meeting to act on this request.

MOVED: Karytko

SECONDED: Cluff

Before the motion could be voted on, Karytko said he's asking the Board to think about the fact that sometime in the future we might want to look at a policy if we're accepting too many roads.

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- d. **Discuss a Road Acceptance Request for LEB Subdivision** – LEB, LLC has developed a subdivision that was reviewed and approved by the Kennebunk Planning Board in June of 2017 in accordance with the Land Use Ordinance as well as the Street Design and Construction Ordinance. The developer has presented the requisite materials outlined in Section 8.4.2 of the Street Design and Construction Ordinance for the proposed road acceptance of Flagship Circle in the LEB subdivision. The road is located off Ross Road just east of Emmons Road.

The work was inspected by the Town Engineer during construction and has been determined to comply with the standards set forth in the Ordinance and the developer has submitted the necessary information. Road acceptances must be approved by a Town Meeting vote.

A motion was made to send the Road Acceptance Request for Flagship Circle to a public hearing on September 10, 2019 to receive public comment and to place a warrant article before the next Town Meeting to act on this request.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- e. **Discuss the Purchase of Property Located at 15 Portland Road** – As part of its strategic planning and visioning for future municipal building and service delivery needs, the Town has been provided the opportunity to purchase an approximately 5.1 acres parcel of land located at 15

Portland Road in Kennebunk, Maine, identified as Tax Map 6, Lot 35, and as more particularly described in a deed to Seller from Christian L. Barner, Paige S. Hill and Keybank National Association, as Co-Trustees of the Geraldine K. Waterhouse Revocable Trust u/a dated September 24, 2008, as amended, said deed dated July 27, 2017 and recorded in the York County Registry of Deeds in Book 17537, Page 350 (the "Property").

The total purchase price for the Property has been established at Seven Hundred Sixty-Five Thousand and 00/100 Dollars (\$765,000.00). The presented purchase price was determined following a June 4, 2019 "Real Estate Appraisal Report" performed by Mainland Consultants of Portland, Maine. The herein described property consists of "a single-family residence on a 1.5 acres land parcel and 3.6 acres of adjacent land."

The purchase of this building and related land will afford the Town the opportunity to relocate and/or consolidate future municipal needs and services to include, but not be limited to, buildings, facilities and parking.

Before moving this to a Town Meeting vote, the Board needs to hold a public hearing.

A motion was made to send this item to a public hearing on September 10, 2019 to receive public comment and place a warrant article before the next Town Meeting to act on this request.

MOVED: Berry

SECONDED: Ward

Before the motion could be voted on, Karytko wondered about the approximate amount of wetland and usable land the property under discussion contains. Karytko also clarified that we don't have a specific plan right now for the property and, if things should change in the future, then the property could be sold by the Town.

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- f. **Discuss Approving Residents of Kennebunkport to Use the Town's Recycling Center** – The Town of Kennebunkport has requested that their residents be permitted to use, on a trial basis, the Kennebunk Recycling Center located at 36 Sea Road. Town Manager Pardue has discussed this request with representatives from CPRC Management Company, LLC., the firm that operates the Town's Recycling Center. CPRC management has expressed support for this proposed regional initiative, citing that the added use envisioned would have little to no impact on their current operation.

Pardue elaborated on this agenda item. He explained that Kennebunkport is considering the discontinuance of their curbside recycling program.

Ward got confirmation from Pardue that there is no cost of this to Kennebunk.

Cluff said there's no direct cost but there are upgrades that need to be done there and there's infrastructure that needs to be improved there. Cluff also said he would hope that if they're going to have to make some investments, that Kennebunkport would be willing to share in at least a portion of that.

A motion was made to support the request of the Town of Kennebunkport to use Kennebunk's Recycling Center on a trial period through the end of 2019, at which time this initiative will be evaluated by the two towns.

MOVED: Karytko

SECONDED: Cluff

Before the motion could be voted on, Berry wondered about how this is covered cost-wise. Berry wondered why they are going through a formal arrangement to give Kennebunkport residents permission to use Kennebunk's Recycling Center if they in fact already have permission to use it from CPRC. Baldwin said there is possible future cost sharing to be determined after the end of the test period.

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

Pardue discussed that some residents think there is subjectivity as items are brought to the transfer site. Pardue mentioned that CPRC brought forward better clarification of charges, after he requested such; that information will be up on the Town's website. Pardue thinks the clarification and change being brought to the Recycling Center will help alleviate the annoyances some residents have felt when they think they are being overcharged for certain things.

Discussion continued.

- g. Discuss a Three-Year Dispatch Agreement with Sanford Regional Communications Center** – The Town's Agreement with the City of Sanford for dispatch services is due to expire on June 30, 2020. Sanford Regional Communications Center Director William R. Tower III has provided the Town with a new three-year Agreement for said services. The proposed Agreement would begin on July 1, 2020 and expire on June 30, 2023. The terms and conditions of this agreement mirror that of the current one-year Agreement, aside from the proposed pricing structure, which is being finalized at this time. As this is a multi-year Agreement, the Town's legal counsel advises this matter must receive legislative body approval, therefore it is requested the Board consider advancing this matter to a public hearing on September 10, 2019, prior to which the proposed pricing structure will be finalized.

Before moving this to a Town Meeting vote, the Board needs to hold a public hearing.

Pardue spoke with regard to this agenda item. He said that yesterday, Joel Downs, Finance Director, and he met with Steve Buck, City Manager of Sanford, and Bill Tower (Communications Director). Pardue said they had a really positive negotiation and discussion.

A motion was made to send this item to a public hearing on September 10, 2019 to receive public comment and to place a warrant article before the next Town Meeting to act on this request.

MOVED: Karytko

SECONDED: Cluff

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

- h. Discuss Selecting an Alternate Member for MMA's Legislative Policy Committee** – On June 26, 2018, William Ward, Jr. was elected to a two-year term (2018-2020) on Maine Municipal Association's Legislative Policy Committee to represent Kennebunk in District 34. Richard Morin was the Town's alternate member on that Committee but is no longer a member of the Kennebunk Board of Selectmen.

Karytko expressed willingness to serve on the MMA's Legislative Policy Committee as an alternate member.

- i. Discuss Any Other Business**

10. BOARD OF SELECTMEN COMMENTS

- a. Subcommittee Reports - none**

b. Individual Selectmen Comments

Selectman Ward:

- Want to thank the Town Manager, who does an excellent job, and the staff

Selectman Karytko:

- West Kennebunk Family Fun Day— we did 210 sundaes, which is quite a bit
- As Selectmen I think we really have to start engaging in our conversations with our RSU 21— it's a big part of what happens in this Town and we're responsible for what happens to our residents in Town

Selectmen Cluff, Berry:

- None

Selectman Paul:

- I hope your headache goes away, Baldwin

Selectman Baldwin:

- I wanted to do a shout out to a member of volunteer in police services, Mary Lou Nedeau, who is recovering from a recent injury. We wish her a very speedy recovery.

11. TOWN MANAGER ANNOUNCEMENTS

Pardue made announcements.

12. ADJOURNMENT

At approximately 9:18 p.m., a motion was made to adjourn tonight's meeting.

MOVED: Cluff

SECONDED: Ward

VOTE: 5 in favor, 0 opposed, 1 didn't vote (Berry), 1 absent (Schulte). The motion passed.



Christopher Cluff, Secretary
Kennebunk Board of Selectmen

Date: 9/10/19