

**TOWN OF KENNEBUNK**  
**BOARD OF SELECTMEN MINUTES**

**November 14, 2019 – 5:30 P.M.**

1. CALL TO ORDER

On Thursday, November 14, 2019, at approximately 5:38 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., Shiloh Schulte, L. Blake Baldwin and Frank Paul.

Also present was Town Manager Michael Pardue.

Selectman Christopher Cluff arrived at 5:45 p.m. (during the executive session).

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, pursuant to Title 1 MRSA Sec. 405(6)(C), to discuss an Economic Development Matter, and to enter into executive session, with the Town Manager, Finance Director, Director of Community Development and Town Legal Counsel, pursuant to Title 1 MRSA Sec. 405(6)(E), to discuss Matters of Litigation.**

**MOVED: Karytko**

**SECONDED: Schulte**

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

**Selectman Christopher Cluff arrived during the executive session.**

**At approximately 6:30 p.m., a motion was made to exit executive session.**

**MOVED: Karytko**

**SECONDED: Schulte**

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

Upon coming out of executive session, the Board had nothing to report.

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

- a. October 22, 2019 Regular Meeting [Please refer to supporting material \(PDF\)](#)

The Pledge of Allegiance was recited.

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Berry noted a change to the October 22, 2019 Regular Meeting Minutes he wanted to be made regarding the order of the items under Public Comments.

**A motion was made to accept the minutes from the October 22, 2019 Regular Meeting with corrections as noted.**

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

#### 4. PUBLIC HEARINGS

- a. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:

**Applications from KHC Hotel Management, LLC d/b/a Grand Hotel for: a Liquor License, Victualer License, Special Amusement Permit and Lodging House License located at 1 Chase Hill Road.**

Some discussion ensued. Sarah Hall, from a law firm representing the prospective owners in the matter under consideration, spoke.

Brenda Robinson, from the public, and a member of the Site Plan Review Board, spoke. She said the original approval for the property in question did not include a full restaurant. She wondered if the plan is consistent with what the Site Plan Review Board approved when the property was converted. Kevin Harrington responded to her, saying, in part, that there are no restaurants at the property being discussed. Robinson then said, referring to Harrington's response, that that satisfies her, as that is what the Site Plan Review Board approved.

**A motion was made to approve the Liquor License, Victualer License, Special Amusement Permit and Lodging House License for KHC Hotel Management, LLC d/b/a Grand Hotel.**

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

#### 5. PUBLIC COMMENTS

Sharon Staz, from the public, spoke, speaking about a water main break that occurred in Town last night. She praised the efforts of the Kennebunk, Kennebunkport & Wells Water District for fixing the water main in such cold weather. She also discussed two demonstration overhead LED street lights on display on poles #142 and #144 on Alfred Road; she said the poles are marked. It was noted that comments on the sample overhead LED street lights can be emailed to the Town Manager at [mpardue@kennebunkmaine.us](mailto:mpardue@kennebunkmaine.us), and the Town Manager will make sure that the Energy Efficiency Advisory Committee receives those comments.

Gayle Spofford, President of Evergreen Cemetery (located in Kennebunk on Route 35), spoke, thanking the Selectmen for facilitating a successful application for a canopy tree grant for the cemetery. She spoke further, saying, in part, that in the spring, when they remediate the rest of the cemetery, they will be redoing the borders of the cemetery to allow them to sell more lots. Spofford also mentioned their website, [www.evergreenkennebunk.org](http://www.evergreenkennebunk.org), where, among other things, a posting of their rules and regulations can be found.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

- a. **Hear a Presentation Regarding the Gifting of a “Wind Sculpture” to the Town** – Laura Snyder Smith was in attendance at tonight’s meeting to discuss the donation of a Lyman Whitaker Double Dancer wind sculpture in memory of Maureen McEnaney. This wind sculpture measures 169” x 49” with a retail value of \$3,500. The funds for this gift were raised over the 2019 summer with more than forty (40) contributors.

Laura Snyder Smith gave the presentation described above. Smith, among other comments, spoke in remembrance of Maureen McEnaney. She spoke about Maureen’s time spent at Mother’s Beach, saying Mother’s Beach was Maureen’s “happy place”; Smith said, she thinks Mother’s Beach is the ideal location for the beautiful sculpture. Smith said that to Maureen’s friends and family, the sculpture is a poignant reminder that Maureen’s spirit “still blows in the wind.”

Some discussion ensued. Karytko asked what happens if there is vandalism to the sculpture, it breaks, etc. To that, Pardue said the Town would incur the insurance of the gift if they were to receive it; it would become the Town’s property.

Ward discussed the suggested locations for the sculpture. Ward said the center of the traffic island would be the better location if they were going to go forward with the placing of the sculpture. After a little more discussion occurred, Ward mentioned that he understands the concern with having a large amount of these types of sculptures in Town.

Pardue mentioned that they are beginning the construction of a draft policy to bring forward on how to deal with items gifted to the Town such as sculptures and benches.

**A motion was made to accept the gift of the wind sculpture to the Town of Kennebunk.**

**MOVED: Karytko**

After the motion was made, Schulte suggested an addition to the above motion.

**SECONDED:**

**VOTE:**

**REVISED: A motion was made to accept the gift of the wind sculpture to the Town of Kennebunk and send a note thanking Laura Snyder Smith for the generous donation.**

**MOVED: Karytko**

**SECONDED: Cluff**

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

- b. **New Hires:** The Chair read the agenda item in detail (summarized below) pertaining to the recent new hires.

1. **Truck Driver** - Nathanael “Nate” Jackson has been hired as Kennebunk’s Truck Driver in the Public Services Division. Nate’s first day was October 21<sup>st</sup>.
2. **Administrative Assistant** - Jill Pyburn began her employment as the part-time Administrative Assistant in Community Development on October 28<sup>th</sup>.
3. **Deputy Tax Collector** - On November 4<sup>th</sup>, Jenny Casey joined our team in her new role as full-time Deputy Tax Collector. (Note: further action was taken in Article 7c)

We welcome Nate, Jill and Jenny to the Kennebunk community.

7. TIME SENSITIVE BUSINESS & STAFF PRESENTATIONS

a. **Committee Resignation(s)**

- Patrick Orr, Historic Preservation Commission – Regular Member 2021
- J. Steve Hrehovcik, Economic Development Committee (EDC) – Regular Member 2020

**A motion was made to accept the resignations of Patrick Orr from the Historic Preservation Commission and J. Steve Hrehovcik from the EDC and send letters thanking them for their service.**

**MOVED: Karytko**

**SECONDED: Cluff**

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

b. **Committee Appointment(s) – Move Up Alternate Members**

1. Historic Preservation Commission – Maria Kyriakides

Maria Kyriakides is the only Alternate member currently on the Historic Preservation Commission. She should be moved up to fill the Regular member position created by the resignation of Patrick Orr. This appointment would fill the remainder of the three-year term, which expires in 2021.

**A motion was made to move Maria Kyriakides from Alternate to Regular member on the Historic Preservation Commission to fill the remainder of Patrick Orr’s term that expires on June 30, 2021.**

**MOVED: Karytko**

**SECONDED: Cluff**

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

2. Economic Development Committee – Maureen Flaherty and Justin Young

Maureen Flaherty should be moved up to fill the Regular member position recently vacated by Miriam Whitehouse. This appointment would fill the remainder of the three-year term, which expires in 2020.

**A motion was made to move Maureen Flaherty from Alternate to Regular member on the Economic Development Committee to fill the remainder of a three-year term that expires on June 30, 2020.**

**MOVED: Karytko**

**SECONDED: Ward**

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

Justin Young should be moved up to fill the remainder of Steve Hrehovcik’s term that expires in 2020.

**A motion was made to move Justin Young from Alternate to Regular member on the Economic Development Committee to fill the remainder of a three-year term that expires on June 30, 2020.**

**MOVED: Karytko**

**SECONDED: Ward**

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

**c. Determine the Status of an Easement to the Town from Paul Michaels, Located at 34 Days Mill Road pursuant to 23 MRSA Sec. 3028(2)**

**A motion was made to postpone this agenda item.**

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

Note: Pardue said that he thinks that, procedurally, the Selectmen should confirm Jenny Casey's appointment, due to her duties, and that he asks that they do so.

**A motion was made to confirm the Town Manager's nomination of Jenny Casey as Deputy Tax Collector for the remainder of the 2019-2020 Fiscal Year.**

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

8. OLD BUSINESS
9. NEW BUSINESS

**a. Hear a Presentation from Casella on the Modifications to Kennebunk's Recycling Program**

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

Erica Bayley, Municipal Representative with Casella, gave the above noted presentation. She said that now, if there is a recycling triangle on a plastic container, recycle it, but if there isn't, then the object is not recyclable.

Board members asked questions and Bayley answered them.

Bayley also said they have a fantastic website called [www.zerosort.com](http://www.zerosort.com).

Pardue asked how Casella would be able to help Kennebunk as a Town in advertising these changes, and Bayley answered him, saying that Casella would work to educate the public and have plans to add new instructional stickers to the totes.

**b. Discuss Adjusting the Name "Board of Selectmen" to "Selectboard"**

Baldwin explained that he is the person who requested this Item be placed on the agenda, saying he requested such because he thought it was time that they begin a discussion about moving toward language a little more gender neutral. He said he thinks they would be better off having a mixture of males and females on the Board. Baldwin suggested that they make this wording change informally, that they begin to adopt the habit of calling this Board the Select Board (or Selectboard).

Discussion continued. For instance, Schulte asked what the conditions are such that they do not have more diversity among the people running for this Board.

Albert Kolff, from the public, spoke, saying, in part, that he thinks it is an excellent idea to change the name.

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Sharon Staz, from the public, spoke in favor of changing the name as well. She said she has been referring to the Board as the Select Board for a number of years.

**A motion was made to move this to a second reading.**

**MOVED: Berry**

**SECONDED: Cluff**

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

c. **Discuss Necessary Road Closures** – The Police Department is requesting approval for the following road closures or delays for the Downtown Tree Lighting and Prelude events. [Prelude](#) will run from December 5 to December 15, 2019.

- **Saturday, November 30 – Closure for Downtown Tree Lighting** - Starting at 4:30 p.m., Main Street will be closed from the intersection of Water and Storer Streets to the intersection of Fletcher and Dane Streets. Main Street is scheduled to reopen at 6:00 p.m., but may be closed longer depending upon the pedestrian traffic.
- **Friday, December 6 - Closure for the Dock Square Tree Lighting** - Western Avenue will be closed from Cooper's Corner to the Mat Lanigan bridge starting at 5:00 p.m. to approximately 6:30 p.m.
- **Saturday, December 7 - Closure for the Hat Parade** - Western Avenue from Cooper's Corner to the Mat Lanigan bridge will be closed from 3:00 p.m. to 3:45 p.m. (estimated) depending on the number of participants.
- **Saturday, December 7 - Closure for Caroling at the Monastery** - Beach Avenue from Cooper's Corner to the Monastery will be closed from 7:15 p.m. to 7:30 p.m. (estimated) to allow for safe passage of pedestrians leaving the Monastery. All vehicular traffic leaving the Monastery will be required to exit left toward the beach until pedestrian traffic has cleared.
- **Friday, December 13 - Closure for the Dock Square Tree Lighting** - Western Avenue will be closed from Cooper's Corner to the Mat Lanigan bridge starting at 5:00 p.m. to approximately 7:00 p.m. Note: after the tree lighting there will also be a fireworks display in Kennebunkport.
- **Saturday, December 14 – Closure for the Seaside Santa Dash** - Western Avenue will be closed from the intersection of Boothby Road to Beach Avenue from 8:50 a.m. to 10:30 a.m. During the race, traffic heading toward Kennebunkport from the Wells direction will be sent down Lower Sea Road. Local traffic will be allowed on Western Avenue from Sea Road to Boothby Road.

Note: Times are approximate and subject to change.

**A motion was made to approve the road closures as noted above.**

**MOVED: Karytko**

**SECONDED: Cluff**

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

Cluff wondered if it is time to reconsider the policy of bringing these types of approvals to this Board. A discussion regarding that topic ensued.

d. **Discuss Any Other Business**

## 10. BOARD OF SELECTMEN COMMENTS

a. **Subcommittee Reports**

Baldwin said the Finance Subcommittee met (10/22/19) and were tasked with evaluating whether they should spend money for the remediation of damage (needed repairs) that has occurred to the Dorothy

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Stevens Community Center in West Kennebunk. He said they deferred it to the next day when they went on a site visit and that Berry and he have the ability to approve that and they did. Then Pardue spoke about the repairs to the Dorothy Stevens Community Center, in part saying that construction is under way. He also mentioned that the Thanksgiving Dinner to be served at the Dorothy Stevens Community Center will be fully accessible.

**b. Individual Selectmen Comments**

Selectman Karytko:

- Torn or tattered flags? Bring them to the American Legion on Water Street
- Eyeglasses, cellphones, hearing aids - they can be dropped off inside a box located by the Town Clerk's Office
- Fire Society Dinner held on Tuesday night; it was very well attended and there was great food made by Barbara Weeman
- Said he is curious as to the status of committee handbooks
- Spoke about "Airbnb" situation
- The holiday fair at the Dorothy Stevens Community Center and the Fire House in West Kennebunk went very well
- Happened to bump into Joe Hansel, City Counselor in Sanford and member of the York County Budget Board. Said Hansel mentioned at one time that they had a York County Management Group that met and he (Hansel) was thinking about resurrecting that.

Selectman Schulte:

- Spoke to something Karytko said under "Selectmen Comments."
- Said he's excited that winter's back, saying you can make a left-hand turn in Town now

Selectman Baldwin:

- Spoke of the Community Garden Committee's two tons of food that they passed along to community outreach services
- Said the Bicentennial Committee is in the final countdown process. Said one of the things that Committee will be doing is collecting an oral history from people who have been around Town for a while. Said they would like to hear about people who fit such a description.
- Discussed a beta test of a transportation system, a program that is in partnership with York County Community Action (YCCA) and is geared toward the senior population in Town. Said he is very excited about the system. Said kudos to Pardue, Chris Osterrieder, Karen Winton and others who were working on this program, and said thank you very much to YCCA, saying it is a wonderful organization that has been around for over 50 years now.

Selectmen Berry, Paul, Cluff and Ward:

- None

**11. TOWN MANAGER ANNOUNCEMENTS**

Pardue made announcements.

12. ADJOURNMENT

**At approximately 8:05 p.m., a motion was made to adjourn the meeting.**

**MOVED: Schulte**

**SECONDED: Karytko**

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



Christopher Cluff, Secretary  
Kennebunk Board of Selectmen

Date: 11/20/19