

TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, JANUARY 12, 2016 – 6:30 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA

REGULAR MEETING – 6:30 P.M.

1. Call to Order & The Pledge of Allegiance

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. Minutes (2-3 minutes)

- a. December 22, 2015 Regular Meeting
- b. January 7, 2016 Special Meeting (Joint Meeting w/ Arundel, K'bunk, K'port & RSU 21)

3. Items to be Signed (3-5 minutes)

- a. Items as Presented

4. Public Hearing(s)

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

MOGO Holdings d/b/a Pedros
located at 181 Port Road
for a renewal of a Malt, Spirituous and Vinous Liquor License
AND
for a renewal of a Special Amusement Permit

Information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: *To approve the renewal of a Malt, Spirituous and Vinous Liquor License and renewal of a Special Amusement Permit for MOGO Holdings d/b/a Pedros.*

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

US Hotels New England LLC d/b/a White Barn Inn
located at 37 Beach Avenue
for a renewal of a Malt, Spirituous and Vinous Liquor License
AND
for a renewal of a Special Amusement Permit

Information is available in the Town Clerk's Office.

Town Manager's Note (not part of the public hearing notice):

Fire Department: no deficiencies noted in the annual inspection.

Police Department: no calls for service that would interfere with the renewal of the license.

MOTION: To approve the renewal of a Malt, Spirituous and Vinous Liquor License and renewal of a Special Amusement Permit for US Hotels New England LLC d/b/a White Barn Inn.

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

The discussion of carry forward fund balances remaining in accounts with unexpended funds (from FY14-15 to FY15-16).

Town Manager's Note (not part of the public hearing notice):

In accordance with the Town's Charter, Section 3.06, the Board of Selectmen, after a public hearing, may carry forward funds remaining in accounts with unexpended balances as of June 30, 2015. The books and records for the general fund are nearly closed, with the one of the final steps in this process being the identification of funds to be carry forward from fiscal year 2014-2015 into fiscal year 2015-2016.

MOTION: To carry forward fund balances remaining in accounts with unexpended funds (from FY 14-15 to FY 15-16).

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5-10 minutes)

7. Time Sensitive Business

- a. Accept a Donation for the Emergency Fuel Assistance Fund – The Town recently received a \$1,000.00 donation from Jim and Betsy Fitzgerald for the Town's Emergency Fuel Assistance Fund.

MOTION: To accept the donation from Jim and Betsy Fitzgerald and send a letter thanking them for their very generous donation.

- a. Hear a Brief Update on the December 27th Storm (5 minutes) – The last storm had some unusual weather which presented some different approaches to the treatment and clearing of the roads and sidewalks. The department did experience a few breakdowns in equipment that prolonged/delayed some snow removal. Overall, the roads were well maintained. Staff will be present to share a quick overview of the storm.

No motion necessary.

- b. Set the Budget Meeting Dates for the 2016-17 Proposed Budget (3-5 minutes) – Each year, the Selectmen and Budget Board hold joint meetings to discuss the upcoming budget. The proposed dates for review of the 2016-17 proposed budget are as follows:

Meeting #1	Tuesday, February 2	6:00 pm to 9:00 pm
Meeting #2	Thursday, February 4	6:00 pm to 9:00 pm
Meeting #3	Saturday, February 6	8:30 am to 11:30 am
Meeting #4	Thursday, February 11	6:00 pm to 9:00 pm
Tentative - Meeting #5	Saturday, February 13	8:30 am to 11:30 am
Tentative - Meeting #6	Tuesday, February 16	6:00 pm to 9:00 pm

MOTION: To approve the Budget Meeting dates listed above.

- c. Discuss the Bids for a Three Ton Trailer Mounted Portable Asphalt Recycler & Hot Box (5-10 minutes) – The Board discussed this purchase at their meetings on December 8 and 22.

A hot box is used to heat, reheat, reclaim and recycle asphalt materials for patching and potholing. This will aid the crew in maintaining better quality roads year-round, particularly during the winter months and will allow our staff to be considerably more efficient in the repair of the roads.

This purchase was originally proposed in the current budget but was removed during budget discussions last year to lower the overall capital budget.

After further review, we believe funding for this item could come from savings realized on capital fund purchases made during fiscal years 2012 through 2015. The total available is \$25,955.00. The capital items previously purchased included tractors, mowers, skid steer, trailer, street sweeper, and dump/plow truck. The alternative would be to fund this in this year’s coming budget.

The Hot Box was discussed during the Board of Selectmen’s Finance Subcommittee meeting held on January 5th.

Our recommendation is to purchase a new Three Ton Trailer Mounted Portable Asphalt Recycler & Hot Box from Viking Cives at a price of \$24,685.00 with funds coming from the capital budget savings summary of \$25,955.00.

The following bids were received for this purchase:

	<u>New</u>	<u>Used</u>
H.P. Fairfield LLC, Scarborough, ME	\$30,999.00	\$30,499.00
	3-ton unit	3-ton unit
Viking Cives, Lewiston, ME	\$24,685.00	\$26,685.00
	3-ton unit	4-ton unit

MOTION: To approve the purchase of a new Three Ton Trailer Mounted Portable Asphalt Recycler & Hot Box from Viking Cives at a price of \$24,685.00 with funds coming from the capital budget savings summary of \$25,955.00.

8. Old Business (2nd Reading)

- a. Discuss a Consent Agreement for 2 Marsh View Avenue (10-15 minutes) – The Board heard the presentation on this item at their meetings on December 8 and 22. This consent agreement is between the Town and the owners of 2 Marsh View Avenue, John and Jennifer McDonald regarding a violation in the fall of 2014 involving the unauthorized removal of trees in the Shoreland/Resource Protection districts as well as the removal of one tree on the neighboring property.

At the December 22nd meeting, the Board asked the Code Enforcement Officer, Paul Demers, for a revised plan, which is attached. Please note that the plan now only reflects the actual restoration that would be acceptable to address the violation. The plan is the result of numerous conversations with DEP-endorsed arborists that are familiar with the violation process in other communities. The plant types and sizes have been reviewed to provide sufficient buffer restoration and are spaced to provide optimum opportunity for them to survive and do well in the long term.

A copy of the consent agreement that was included in the last packet is also attached.

The homeowner is away on business for the month on January and has requested moving this final meeting discussion to February 9th.

MOTION: To move this discussion/decision to February 9th when the homeowner can be present.

OR

If the Board does not wish to move this discussion to the next meeting, the motion could be as follows:

MOTION: To require the updated plan be implemented and a fine of \$_____ including attorney fees of \$_____ be assessed, and authorize the Code Enforcement Officer to sign the consent agreement.

- b. Discuss the Draft of the Board of Selectmen's Strategic Plan Survey Questions (5-10 minutes) – Attached is a revised questionnaire for your review. This survey would be administered via email in preparation for the Board's strategic plan session. Would the Board want the website address placed in the tax bill mailer for greater exposure or use existing emails, cable TV, and local press to get the questionnaire out? We should allow 2 to 3 weeks for the completion of the survey once it is released.

Based on our current schedule of meetings (including budget sessions) and the tax bill mailing, I am recommending the strategic plan session be scheduled on a Saturday morning in March (possibly on the 5th or 12th).

MOTION:

9. New Business (1st Reading)

- a. Discuss the Three Dams Located on the Mousam River in Kennebunk (5-10 minutes) – As you are aware, Kennebunk Light & Power District released their dam study in November. Since then, the Town has received a number of inquiries and emails (see attached) from residents about the possible dam removals. Would the Board like staff to review the study and provide comments on the impact/non-impact of the current options presented in the study, along with additional options for a future workshop? The first potential workshop date would be Tuesday, March 15, 2016.

MOTION: To move to a second reading on January 26th.

- b. Discuss the Time and Attendance Bids (10 minutes) – This is for a new time and attendance system to replace the existing antiquated non-integrated system, which is currently used by the employees at Town Hall and Public Services. Manual data entry is required to get time data input for the Recreation department's part-time employees and all employees in the Fire and Police departments. This new system can be used by all departments and provides accruals and attendance reporting for employees and supervisors.

Bids were requested and four bids were received and opened in September. The top two systems were further analyzed by staff from various departments with live demonstrations to ensure the systems met all criteria.

The bid summary is shown below and a detailed listing of the bids/systems is attached in the packet for your review.

Company Name	BiznusSoft	KRONOS	Andrews Technology	Cincinnati Time of Maine
In-house	n/a	n/a	\$38,190.00	\$34,430.00
Software as a Service (SaaS) (Cloud) (As listed on bids)	\$97,800/12 months (500 employees; purchased clocks)	\$1,008.5/month (100 employees; leased clocks)	\$35,000/12 months (250 employees; purchased clocks)	\$1,573.90/month (402 employees; leased clocks)
SaaS (Restated as 250 employees per month for 12 months; purchased clocks)	\$82,800.00	\$35,625.00	\$35,000.00	\$17,911.00

After our review, the system that best meets our needs, at the least cost, is the Attendance on Demand system proposed by Cincinnati Time of Maine at a price of \$17,911.00. The budgeted amount for this purchase is \$15,000.00. The difference can be funded from the remaining budgeted monies for the current maintenance of the time clock system. We have the funds for this SaaS (cloud) approach for all departments except the link to the IMC system used by the Police. We would need to budget \$4,000 for the IMC conversion link in next year's budget. This item was discussed with the Selectmen's Finance Subcommittee at their meeting on January 5th.

MOTION: To move to a second reading on January 26th.

- c. Discuss Two Events for Kennebunk in 2016 (5-10 minutes) – Both of these events would be coordinated with the Festival Committee using subcommittees and would occur in the summer of 2016.

1. **1776 Re-enactment Camp (New Event)**

This would occur on Friday, June 24 at 4:00 p.m., all day Saturday, June 25 and ending on the morning of Sunday, June 26.

The event would have demonstrations of revolutionary life, marching drills, musket demonstrations, and activities for children and families. The revolutionary soldiers would camp out at Parsons Field. They would be responsible for set-up, functioning and clean up. The Festival Committee would assist with coordinating the event and provide \$1,000.00 (from their committee budget) to offset costs for this event.

2. **Portland Symphony Orchestra (PSO)**

A group of local residents would like to bring back the PSO this summer, on Thursday, July 28th at the Waterhouse Center.

The subcommittee "Music on Main Street" would raise all the necessary donations for this event. They would be a subcommittee under the Festival Committee. We would need to close Main Street, as we did for last year's performance. The committee would handle all announcements.

MOTION: To allow the 1776 Re-enactment and the PSO events as indicated above during the summer of 2016.

- d. Discuss Various Special Events and Timing Thereof 5-10 minutes) – Over the course of one year, Kennebunk is host to approximately 40+ special events. These events are either non-profit organizations or Town events. The number of events from non-profit organizations that encumber the roadway to a certain extent is 17. While Town-sponsored events that encumber the roadway total eight. The remaining events do not impact the roadways. A summary of all events is attached.

When we receive a request to hold a special event on public or private property that will affect the standard and ordinary use of Town-owned property, public streets, rights-of-way or sidewalks, and/or which requires additional levels of town services, we ask the requestor to fill out a special event application. This helps us evaluate the impact of the event and determine any associated costs they may require. This includes, but is not limited to, fairs, festivals, carnivals, sporting events, foot races/walks, bike-a-thons, markets, parades, exhibitions, auctions, dances, and motion picture/commercial filming. Special events do not include regular park activities, functions held on school properties that are sponsored by the school district, or regular work being performed by Town agencies. The special event application is attached for your review.

As applications for special events are received, a few questions have arisen over this past year.

- How many events do we want in Kennebunk that affect our roadways?
- How many events should be held on any one weekend?

We have predominately received requests for special events from non-profits (seeking to fundraise), however, we are now receiving applications from businesses and individuals to hold events, i.e. road races, etc. on Town roads that would profit from the event (they are not a non-profit individual or group).

The Town could regulate these events with a policy; a policy regulating some broad parameters might be appropriate. How would the Board like to proceed?

MOTION: To move to a second reading on January 26th.

- e. Discuss the Pay-As-You-Throw Program and Bag Pricing (5-10 minutes) – Recently, the Selectmen’s Subcommittee on Solid Waste met to discuss the Pay-As-You-Throw (PAYT) program, Recycling, and the Transfer Station. The attached spreadsheet reflects the program’s history. This year a deficit will be realized in the enterprise fund for this program. We have not raised the price of bags for three years. That deficit can be eliminated by increasing the bag pricing or supplementary funding from the general fund.

MOTION: To move to a second reading on January 26th.

- f. Discuss the 2016 TIF Operational Expenditures (5-10 minutes) – The Economic Development Committee has met with the Lower Village, Downtown and West Kennebunk Village Committees to discuss the operational expenditures. Attached are the proposed expenditures for 2016.

MOTION: To move to a second reading on January 26th.

- g. Discuss Long-Term Capital TIF Infrastructure Projects (5-10 minutes) – The Economic Development Committee has reviewed the various projects by area with the Downtown, Lower Village and West Kennebunk Village Committees and has prioritized those items for discussion, funding and implementation. The listing is attached for your review.

MOTION: To move to a second reading on January 26th.

- h. Discuss Any Other Business (2-3 minutes)

10. Selectmen’s Comments

- Subcommittee Reports (if any)
- Individual Selectmen Comments

11. Town Manager's Comments/Notes

- a. Downtown Committee Representative Appointment to the Comprehensive Plan and Zoning Ordinance Update Committee – The Downtown Committee did not have a quorum at their January 7th meeting. If they choose a representative at a later date, we will place the appointment on a future agenda.
- b. Martin Luther King Jr. Day - Monday, January 18th
 - Town Hall and Department of Public Services will be closed.
 - Transfer Station will be closed (closed Sun. & Mon. every week).
 - Curbside collection of trash and recycling will take place as usual all week.

12. Executive Session(s)

- a. Discuss a Personnel Issue with the Town Manager, Finance Director, Public Services Director, and Human Resource Director - Title 1 MRSA Sec. 405(6)(A)

13. Adjournment