

**TOWN OF KENNEBUNK  
BOARD OF SELECTMEN  
TUESDAY, JANUARY 24, 2017 – 5:30 P.M.  
KENNEBUNK TOWN HALL  
3<sup>rd</sup> FLOOR/ROOM 301  
AGENDA**

**AMENDED AGENDA**

Article 2 – was listed as executive session; it will be now be discussed in open session.

Added Article 12.b

**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. Follow up Discussion from 1/17/17 Meeting on Dams with Attorneys Joanna Brown Tourangeau and Adam Cote of Drummond Woodsum (60 minutes)**

**3. Minutes and Items to be Signed (3-5 minutes)**

- a. January 10, 2017 Regular Meeting
- b. January 17, 2017 Joint Meeting with KLPD (transcription of meeting not yet available)

**4. Public Hearing(s)**

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

**A proposed ordinance entitled “Town of Kennebunk Park Use Ordinance”. This proposed ordinance will go before the voters at the Annual Town Meeting of June 13, 2017.**

Copies of the proposed ordinance may be reviewed on the Town website and are available in the Town Clerk’s Office.

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

*A copy of the proposed, revised Ordinance is included in the packet (Item 19 Drones was amended at the 1/10/17 meeting).*

*The enactment of a new ordinance would require a Town Meeting vote. If the Board wishes to send this to the Annual Town Meeting on June 13, 2017, the motion could be as follows:*

***MOTION:** To send the proposed Park Use Ordinance to the Annual Town Meeting on June 13, 2017.*

**5. Public Comments (5-10 minutes)**

**6. Acknowledgements/Announcements**

**7. Time Sensitive Business**

- a. Discuss Boards and Committees (resignations/appointments) (3 minutes)

- **Accept the Following Resignation:**

- Haven W. Andrews, Jr., Downtown Committee (Regular 2017)

**MOTION:** To accept the resignation of Haven W. Andrews, Jr. from the Downtown Committee and send a letter thanking him for his service.

Note: The alternate member will not be moved up to fill this regular member vacancy. The alternate member is a non-resident and per the Board's Policy on Appointments to Boards, Committees & Commissions, *"non-residents may be appointed to a non-binding committee and the appointment will be to an alternate position for a one (1) year term."*

- b. Discuss the 2017 Type III Ambulance Bids (10 minutes) – In the 2016-17 budget, we set aside \$220,000.00 for a Type 1 Ambulance. In December, 2016, we received five bids for this purchase, ranging from \$240,695.00 to \$263,504.09. All bids received were over budget. After evaluating the bids, Chief Rowe recommended to the Board at the December 13<sup>th</sup> meeting to reject all bids, reconfigure our bid specification packet and send this back out to bid in hopes of coming within budget.

In December, new bid specifications were sent out for a Type III Ambulance (a Type III ambulance has a pass through to the back of the ambulance from the cab and a Type I ambulance does not). We received the following three bids for this purchase:

- Autotronics \$219,155.00  
Bangor, ME  
2017 Ford E450
- Minuteman Fire & Rescue Apparatus \$220,212.00  
Walpole, MA  
2017 Ford E450
- Sugarloaf Ambulance/Rescue Vehicles \$223,408.00  
Wilton, ME  
2017 Ford E450

The Fire Chief recommends purchasing the ambulance from Autotronics at a price of \$219,155.00 and the “On Spot” Chain option of \$2,950.00, which was inadvertently omitted in the rebid bid specifications, totaling \$222,105.00.

**MOTION:** To award the bid to Autotronics at a price of \$219,155.00 with the "On Spot" Chain option for \$2,950.00, totaling \$222,105.00.

- c. Discuss Placing a Recommendation on the February 28, 2017 Special Town Meeting Warrant for the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs (5 minutes) – Pursuant to past practice, the Board is requested to offer their position on this subject so it may be included on the warrant. In addition to the recommendation from the Board of Selectmen, a recommendation from the Planning Board will also appear on the warrant (because it involves a land use matter). Note: As this agenda goes to publication, the Planning Board is scheduled to discuss a recommendation at their meeting scheduled for Monday, January 23<sup>rd</sup>.

Article \_\_\_: Shall an Ordinance entitled “Town of Kennebunk Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs” be enacted?

Selectmen recommend acceptance of this article by a vote of \_\_\_ in favor, \_\_\_ against.

**MOTION:** To recommend acceptance of this article.

- d. Set the Budget Meeting Dates for the 2017-18 Proposed Budget (3 minutes) – Each year, the Selectmen and Budget Board hold joint meetings to discuss the upcoming budget. The proposed dates for review of the 2017-18 proposed budget are as follows:

Meeting #1	Tuesday, January 31	6:00 pm to 9:00 pm
Meeting #2	Thursday, February 2	6:00 pm to 9:00 pm
Meeting #3	Saturday, February 4	8:30 am to 11:30 am
Meeting #4	Tuesday, February 7	6:00 pm to 9:00 pm
Meeting #5	Thursday, February 9	6:00 pm to 9:00 pm
Tentative - Meeting #6 (if needed, snow date?)	Saturday, February 11	8:30 am to 11:30 am

**MOTION:** To approve the Budget Meeting dates listed above.

- e. Hear Selectmen's Comments Regarding the January 17<sup>th</sup> Joint Meeting with the Kennebunk Light & Power District Regarding the Dams (10 minutes) – At the January 17, 2017 joint meeting with the Kennebunk Board of Selectmen the Kennebunk Light and Power Trustees, the future of three dams along the Mousam River were discussed. At the request of Chairman Richard Morin, Selectmen are provided this opportunity to offer their perspective of said meeting.

## 8. Old Business (2<sup>nd</sup> Reading)

- a. Discuss the 2017 TIF Operational Expenditures (10-15 minutes) – At the Board's last meeting, the recommendations from the Downtown Committee, Lower Village Committee, West Kennebunk Village Committee and Economic Development Committee (EDC) were presented for the 2017 TIF District projects and expenditures.

Since the last meeting, the EDC has met and supports the funding of the Regional Economic Development Corporation. Additionally, the committee would prefer the TIF fund 50% of the Economic Development Director position with the balance funding through the regular operating budget.

Attached is a breakdown summary of the 2017 TIF District projects and expenditures for your review.

**MOTION:** To approve the proposed TIF District expenditures for 2017.

## 9. New Business (1<sup>st</sup> Reading)

- a. Discuss the Donation of a Fire Department ATV (5-10 minutes) – The Kennebunk Fire Rescue (KFR) was fortunate to have one of the first and perhaps the only ATV in the area many years ago. This unit was gifted to the Fire Department from the ladies' auxiliary. For many years, it served the department well and mutual aid departments relied on the KFR for off road service with this machine. Since then, most departments have acquired their own units. Over the years, KFR received another donated ATV and purchased a new unit in 2013.

Our current ATV machine count is three. Chief Rowe would like to reduce the inventory. He asked if any other Kennebunk Department would be interested in either of the two machines they are seeking to take out of service. No department has indicated a desire for either of these machines, which are older units. Parts for these aged machines are becoming increasingly difficult to acquire.

The two machines the Chief intends to take out of service are a 1998 Yamaha Big Bear 4x4 with a small trailer and a 1999 Polaris Big Boss 6x6. He would like to donate one of the machines to the

Town of Arundel, specifically to the fire rescue division. Arundel does not own this type of machine and have attempted, unsuccessfully, to obtain one. They would respond with it to our community if we were in need of its use. They also have a large portion of the Eastern Trail in their community and this would greatly assist with coverage for that trail network. The other unit will be sold in the next surplus bid process.

**MOTION:** To approve the transfer of the 1998 Yamaha or 1999 Polaris ATV to the Town of Arundel at no cost, and to place the other ATV out to bid.

- b. Discuss Road Closures for Special Events (15 minutes) – The Special Event Policy requires Board approval for road closures. The following Special Event Applications have been received and will require road closures, per the Police Department, as noted below:

- **Maine Coastal Marathon – Sunday, May 14, 2017**

Fletcher Street closed from Ross Road to Main Street 7:15 a.m. - 7:45 a.m.

A "rolling road closure" (a section of road that closes then re-opens as the event progresses) is required for this event and will affect one lane of the following roads from 7:15 a.m. to 9:40 a.m.:

- Summer Street
- Port Road
- Western Avenue
- Lower Sea Road/Beach Avenue

**MOTION:** To approve the road closure as recommended by the Police Department for the Maine Coastal Marathon on Sunday, May 14, 2017 as noted above.

- **Music on Main – Portland Symphony Orchestra – Thursday, August 3, 2017** According to the Police Department, the same format for the Main Street road closure used for the last two years would be applied. In the past, there were no accidents, delays or reported issues during these events.

The Portland Symphony Orchestra will be playing at the Waterhouse Center starting at 6:00 p.m. The following road closures will be in effect from 5:30 p.m. through 8:15 p.m. +/-.

- 5:30 p.m. - Main Street will be closed at Fletcher Street directing cars toward Mechanic Street as a part of the detour south for Rt.1. Detoured cars can go onto Mechanic Street then left onto Storer Street toward Main Street/Rt. 1 south.
- 5:30 p.m. - Main Street will be closed at Water/Storer Streets. Cars traveling north on Rt. 1 will use Water Street to Factory Pasture Lane, left onto Depot Street then left onto Summer Street. From Summer Street they will turn north onto Portland Road/Rt. 1 north.
- Internal closures on Main Street: Barricades will be placed across Main Street at Bourne Street and by Grove Street. Additional barricades will be placed across Main Street by the crosswalk next to Garden Street.
- Note: Grove Street will remain open. One way traffic will be allowed to go across Main Street starting from the parking lot behind Perfecto's Cafe. Cars can go onto Garden Street or Curtis Court. **No cars will be allowed to cross Main Street to go toward Grove Street.**
- **All streets may be reopened once pedestrian foot traffic has cleared.**

**MOTION:** To approve the road closure as recommended by the Police Department for Music on Main on August 3, 2017 as noted above.

- **Nicole's 5K Run/Walk – Sunday, July 30, 2017**

9:00 a.m. through 10:30 a.m., Beach Ave. (from Boothby Road to Rail Road Avenue)

**MOTION:** To approve the road closure as recommended by the Police Department for Nicole's 5K Run/Walk on July 30, 2017 as noted above.

*Beach Parking Permit Waiver Request:* Amanda Morris, Race Director of Nicole's Run has requested the Board waive the beach parking permit requirement for the event from 6:00 a.m. to noon at all three beaches, as they have in prior years.

**MOTION:** To waive the beach parking permit requirements for Nicole's 5K Run/Walk at all three beaches on July 30<sup>th</sup> from 6 a.m. to noon at all three beach.

- c. Review Town Fees (10-15 minutes) – Town Hall staff has reviewed all fees that are set by the Board of Selectmen and recommend the proposed changes as listed on the spreadsheet found in your packet. Staff review included a compilation of similar fees established by seven other municipalities with like demographics (Kennebunkport, Wells, York, Kittery, Saco, Old Orchard Beach, Scarborough and Yarmouth). The proposed fees are intended to serve as a step toward offsetting some costs associated with the services provided.

**MOTION:** To send this to a second reading on February 14<sup>th</sup>.

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

## 10. Selectmen's Comments

- a. Subcommittee Reports (if any)
- b. Individual Selectmen Comments

## 11. Town Manager's Comments/Notes

- a. Tuesday, February 28, 2017 – A Special Town Meeting will be held in the Town Hall Auditorium from 6:00 a.m. to 8:00 p.m. to vote on a Proposed Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs. The proposed ordinance can be found on the Town's website on the homepage (center column, under Upcoming Elections).
- b. Harbormaster Update

## 12. Executive Session

- a. Discuss Salaries and Wages with the Town Manager, Assistant Town Manager and Finance Director – Title 1 MRSA Sec. 405(6)(A)
- b. Discuss the Possible Acquisition of Real Property where premature disclosure of the information would prejudice the competitive bargaining position of the Town with the Town Manager, Assistant Town Manager and Finance Director – Title 1 MRSA Sec. 405(6)(C)

## 13. Adjournment