

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, FEBRUARY 14, 2017 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301**

AGENDA

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate(s) for Committees:

		<u>Vacancies:</u>
Kimberly Patric	West Kennebunk Village Comm.	(1) Regular 2017
Jacqueline Hawkins	Recreation Committee	(1) Alternate 2017
Richard Taranto *	Lower Village Committee	(1) Alternate 2017

* Mr. Taranto does not live in Kennebunk full-time. He owns a home as well as a business in Kennebunk (Lower Village area) and has stated he will be able to attend LVC meetings on a year-round basis. He has been attending the Lower Village Committee meetings. The Board's Policy on Appointments to Boards, Committees & Commissions allows for non-residents to be appointed to non-binding committees for a one-year term. The vacancy on the LVC is for a one-year Alternate position.

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

- a. January 17, 2017 Joint Meeting with KLPD (transcription)
- b. January 24, 2017 Regular Meeting
- c. January 31, 2017 Special Meeting (Budget Meeting 6:00 pm)
- d. February 2, 2017 Special Meeting (Budget Meeting 6:00 pm)
- e. February 4, 2017 Special Meeting (Budget Meeting 8:30 am)
- f. February 7, 2017 Special Meeting (Budget Meeting 6:00 pm)

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

4. Public Hearing(s)

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

**Joseph Ryan d/b/a Ryan's Corner House
Located at 17 Western Avenue
For a renewal Malt, Spirituous and Vinous Liquor License Application
and Special Amusement Permit**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

MOTION: *To approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit for Joseph Ryan d/b/a Ryan's Corner House.*

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

**US Hotels New England d/b/a White Barn Inn
Located at 37 Beach Avenue
For a renewal Malt, Spirituous and Vinous Liquor License Application
and Special Amusement Permit**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

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

- c. 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 Beach House Inn
Located at 211 Beach Avenue
For a new Malt, Spirituous and Vinous Liquor License Application
and Special Amusement Permit**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

MOTION: To approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit for US Hotels New England d/b/a Beach House Inn.

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

**Brian and Shanna O'Hea d/b/a The Kennebunk Inn
Located on 45 Main Street
For a renewal Malt, Spirituous and Vinous Liquor License Application**

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

Fire Department: nothing found in the inspection that would interfere with the renewal of the license.

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

MOTION: To approve the Malt, Spirituous and Vinous Liquor License Application for Brian and Shanna O'Hea d/b/a The Kennebunk Inn.

- e. 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 10 "Smoking and Alcohol Prohibited" was amended at the 1/24/17 meeting). This proposed ordinance has been fully reviewed by legal counsel.

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.

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

Adjustment of Various Town Fees

The Board of Selectmen has authority to change fees that are currently being charged.

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 fee schedule is included in the packet.

Changes to Town Fees, per Town Clerk, can be approved at a public hearing and do not require a Town Meeting vote. Please note, the Ambulance Billing Rates for 2017, which were discussed at the last meeting along with fees, are not fees governed by ordinance and therefore will be taken up separately under "Time Sensitive".

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements

7. Time Sensitive Business

a. Discuss Boards and Committees (resignations/appointments) (5 minutes)

- **Appointment of Resident(s) being interviewed at the beginning of the meeting:**

		<u>Vacancies:</u>
Kimberly Patric	West Kennebunk Village Comm.	Regulars: (1) 2017 and (1) 2018
Jacqueline Hawkins	Recreation Committee	(1) Alternate 2017
Richard Taranto	Lower Village Committee	(1) Alternate 2017

If the Board wishes to make the appointment(s), the motion could be as follows:

MOTION:

- To appoint Kimberly Patric as a Regular member on the West Kennebunk Village Committee with a term expiring on June 30, 2018,
- To appoint Jacqueline Hawkins as an Alternate Member on the Recreation Committee with a term expiring on June 30, 2017, and
- To Richard Taranto as an Alternate member on the Lower Village Committee with a term expiring on June 30, 2017.

- b. Discuss a Proposal by the MDOT Bridge Contractor for Conducting 24-Hour Work Operations During the Demolition of the Mathew J. Lanigan Bridge (5-10 minutes) - Beginning in early March, the demolition of the Mat Lanigan Bridge is scheduled to commence. The demolition of this bridge is necessary to facilitate the replacement of the bridge, which crosses the Kennebunk River at Route 9 in Lower Village. The State of Maine Department of Transportation owns this bridge and the construction work will be performed by TBuck Construction of Auburn, Maine; this company performed the construction of the Route 1 Bridge over the Mousam River.

Town Engineer Chris Osterrieder will be present to discuss with the Board the contractor's request to conduct work 24 hours a day until the work is completed, which initial estimates suggest could be from 2-5 days.

MOTION: Approve the contractor's request to conduct work 24-hours a day until the work is completed, estimated to be completed within 5 days.

- c. Discuss the Trade-in of a 2006 Ford Ambulance (5 minutes) – At the last meeting, the Board approved the purchase of a new ambulance and an additional \$2,950 for “On Spot” chains from Autotronics of Bangor, ME. The Fire Chief spoke with the vender and they have offered to take our 2006 Ford ambulance in trade for the value of the “On Spot” chain system. This vehicle has approximately 157,000 miles and has a significant engine oil leak issue that we have chosen not to fix (estimated at \$10,000). Chief Rowe would like authorization to accept this offer. It was our initial intent to sell this item through the sealed bid process but given this opportunity, it's the Chief's recommendation to trade this vehicle at this time. A similar vehicle that was in better condition recently was traded in at a price of \$3,500.

MOTION: To authorize the trade of the 2006 Ford ambulance to Autotronics for the sum of \$2,950.

- d. Discuss Necessary Road Closures, Associated with Special Event Applications (10 minutes) – The Special Event Policy requires Board approval for road closures. According to the Police Department, they are requesting approval for the following road closures or delays. Note: There are no changes from previous years.

- **Saturday, May 6, 2017: May Day Festival (sponsored by Town)**

This event occurs in the downtown area (Rotary Park, Waterhouse Center, Kennebunk Library, etc.) and requires a road closure for the parade.

Road Closure Needed:

(Parade Route)

12:30 - 1:45 pm	Water Street closed
12:30 - 1:45 pm	Factory Pasture Lane closed from Winter Street to Water Street
1:25 - 2:00 pm +/-	Main Street closed from Water Street to Dane Street
1:25 - 2:15 pm	Dane Street closed
1:25 - 2:15 pm	Grove Street closed

MOTION: To approve the road closure for the May Day Festival as noted above.

- **Sunday, June 4, 2017: 10th Annual Kennebunk Beach Classic 5K Road Race and Walk (sponsored by The Center)**

This 5K race begins on Port Road by Port Hardware and has a start time of 9:00 A.M.

Road Closure Needed:

9:00 A.M. through 10:30 A.M. - Western Avenue from the intersection of Western Avenue and Beach Avenue (Coopers Corner) to Western Avenue and Boothby Road.

MOTION: To approve the road closure for the 10th Annual Kennebunk Beach Classic 5K Road Race and Walk as noted above.

- **Saturday, July 1, 2017: SummerFest (sponsored by Town)**

This event occurs in the downtown area (Rotary Park, Waterhouse Center, Kennebunk Library, etc.) and requires a road closure for the parade.

Road Closure Needed:

(Parade Route)

10:00-10:45am	Water Street closed
10:00-10:45am	Factory Pasture Lane closed from Winter Street to Water Street
10:25-11:30am +/-	Main Street closed from Water Street to Dane Street
10:25-11:00am	Dane Street closed
10:25- 11:00am	Grove Street closed

MOTION: To approve the road closure for SummerFest as noted above.

- **Friday, July 14, 2017: 20th Edition Library Road Race 5K (sponsored by the Kennebunk Free Library)**

This 5K race begins on Dane Street and has a start time of 6:00 p.m.

Road Closure Needed:

5:45-6:05pm Dane Street closed from Park Street to Main Street (race start location)
 6:05-6:30pm Depot Street (one lane closed) No cars can enter Depot St. from Summer St.
 6:05-6:45pm Main Street closed from Water Street to Dane Street (northbound only)

MOTION: To approve the road closure for the 20th Edition Library Road Race as noted above.

- **Saturday, October 14, 2017: HarvestFest (sponsored by the Town)**

This event occurs in the downtown area (Rotary Park, Waterhouse Center, Kennebunk Library, etc.) and requires a road closure for the parade.

Road Closure Needed:

(Parade Route)

11:00-11:45am Water Street closed
 11:00-11:45am Factory Pasture Lane closed from Winter Street to Water Street
 11:25-12:30pm +/- Main Street closed from Water Street to Dane Street
 11:25-12:00pm Dane Street closed
 11:25- 12:00pm Grove Street closed

MOTION: To approve the road closure for HarvestFest as noted above.

8. Old Business (2nd Reading)

- a. Discuss 2017 EMS Ambulance Rates (5 minutes) – Each year, the Town reviews the rates charged for ambulance services. This was discussed briefly at your last meeting under Fees. Included in your packet are the current rates and recommended changes for 2017. Fire Chief Rowe and/or EMS Division Chief Brady will be present to answer any questions the Board may have.

The Fire Rescue Personnel & Equipment Rates were briefly discussed at the last meeting; however, since the rates have not changed, no additional discussion is required.

MOTION: To approve the recommended EMS Ambulance Rates for 2017.

- b. Discuss the Draft Traffic Calming Policy (10 minutes) – As requested by the Board, staff has drafted a revised Traffic Calming Policy. This product is the result of numerous staff meetings and includes citizen input.

MOTION: To approve the Traffic Calming Policy as written.

9. New Business (1st Reading)

- a. Appoint a Selection Group for the Lower Village Master Plan Project (5-10 minutes) – The following RFQs were received for this project.
 - BETA Group, Inc., Manchester, NH
 - Claster Landscape Architecture and Planning, So. Portland, ME
 - Terrence J. DeWan & Associates, Yarmouth, ME
 - Dodson & Flinker, Inc., Florence, MA
 - Harriman, Boston, MA
 - Milone & MacBroom, Portland, ME

- Mitchell & Associates, Portland, ME
- Richardson & Associates, Landscape Architects, Saco, ME

Staff is requesting that the Board establish a Lower Village Master Plan working group charged with recommending a firm and working with them through the planning process. The makeup of the group could be:

- municipal staff (Eddy, Osterrieder, Labelle)
- one member from the Economic Development Committee (Miriam Whitehouse has volunteered)
- two Lower Village Committee members: Nina Spencer and Rick Taranto*

* if appointed at the beginning of this meeting. Mr. Taranto has been attending the LVC meetings.

The budgeted amount for this project is \$75,000, funded from the Lower Village TIF.

MOTION: To establish a Lower Village Master Plan working group comprised of Mathew Eddy, Christopher Osterrieder, Eric Labelle, Miriam Whitehouse, Nina Spencer and Rick Taranto.

- b. Appoint a Selection Group for the Beach Parking Assessment Project (5-10 minutes) – We received one bid for this project:

- Maine Traffic Resources, Gardiner, ME \$14,500

Staff is requesting that the Board establish a Beach Parking Assessment working group. In accordance with the RFP, the group shall be comprised of the following:

- municipal staff (Eddy, Osterrieder)
- one Lower Village Committee member (Betsy Smith has volunteered)
- one Economic Development Committee member (Rachel Phipps has volunteered)
- two residents from the beach area (Gerard Haviland has volunteered, one more is needed)

As noted above, the only proposal received was from Maine Traffic Resources. This company is led by Diane Morabito, who also serves occasionally as our peer review traffic engineer for the Planning Board and Site Plan Review Board. Staff suggests that the committee vet the proposal to determine if the respondent meets the requirements of the RFP.

MOTION: To establish a Beach Parking Assessment working group comprised of Mathew Eddy, Christopher Osterrieder, Betsy Smith, Rachel Phipps, Gerard Haviland and one other beach resident.

- c. Review the Draft Fireworks Ordinance (5-10 minutes) – At the request of the Board of Selectmen, staff has developed a draft fireworks ordinance, which is presented herein.

MOTION: To send this proposed ordinance to a second reading on February 28, 2017.

- d. 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. 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. March 1st Training – Staff is scheduled to convene at 7:30 a.m. for an “All Staff” training session. This session is scheduled to last for 1 hour. The Town Manager is requesting Board support to delay the opening of Town Offices until 8:30 a.m. (a 30 minute delay) to allow staff to attend as a team.

12. Executive Session

- a. Discuss an Economic Development Matter with the Town Manager, Assistant Town Manager, Economic Development Director and Finance Director 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. Consider a Poverty Abatement Application (#2017-01) with the Town Manager and Finance Director- Title 1 MRSA § 405(6)(F) and 36 MRSA § 841(2)
- c. Discuss a Personnel Issue with the Town Manager - Title 1 MRSA Sec. 405(6)(A)

13. Adjournment

