

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 13, 2016 – 6:15 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA**

SPECIAL MEETING – 6:15 P.M.

Interview the following Candidate for Committees:

David Lee Hardwick

Planning Board

Vacancies: (1) Alternate 2017

Note:

Interviews for residents wishing to serve on non-binding committees will be scheduled after the Selectmen's Workshop on October 4th. The Workshop will review Town committees: number of, size of, attendance at, etc.

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. August 9, 2016 Regular Meeting
- b. August 16, 2016 Special Meeting (RSU 21 Cost-Sharing)

No quorum for this meeting – no vote is needed to accept the “notes” from meeting

- c. September 7, 2016 Special Meeting (Tour of 3 RSU 21 Building Renovation Sites)
There was no quorum - only 3 members attended. Notes from the meeting are enclosed; however, they do not require a vote to be accepted.

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

- a. Items as Presented

4. Public Hearing(s) (20 minutes)

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

**David W. Cluff d/b/a Duffy's Tavern and Grill
Located at 4 Main Street
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 Renewal Malt, Spirituous, and Vinous Liquor License Application for David W. Cluff d/b/a Duffy's Tavern and Grill.

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

**Sante Calandri, German Lucarelli and William Dee d/b/a Port of Italy Kennebunk
Located at 4 Western Avenue
New Malt, Spirituous and Vinous Liquor License Application
(current owners have added a partner)**

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 New Malt, Spirituous and Vinous Liquor License Application for Sante Calandri, German Lucarelli and William Dee d/b/a Port of Italy Kennebunk.*

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

**David Parisi d/b/a The Inn at English Meadows
Located at 141 Port Road
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 Renewal Malt, Spirituous and Vinous Liquor License Application for David Parisi d/b/a The Inn at English Meadows.*

- d. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comment on **proposed amendments to the Town of Kennebunk General Assistance Ordinance, Appendix A-D.**

Information on the proposed amendments is available in the Town Clerk's Office.

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

The Town last adopted the entire MMA model General Assistance Ordinance in 2013, which is still in effect. On a semi-regular basis, MMA incorporates legislative updates to the General Assistance Ordinance. We are operating under the most current version.

Each year the municipal officers approve and adopt the appendices to the General Assistance Ordinance. Enclosed for your review are the individual appendices (A-D need approval by the Board) and a GA Summary Sheet, which does not have to be adopted but is included as a reference tool.

An important piece to remember is that General Assistance is intended to provide immediate aid of persons who are unable to provide the basic necessities essential to maintain themselves or their families. In some cases a household's "unmet need" (emergencies and/or unforeseen circumstances) may cause the amount of assistance to be greater than the maximums provided in the appendices. General Assistance Administrators use their discretion and have the ability to consider all of the variables for a household during the application process which may determine eligibility.

MOTION: *To amend Appendices A-D of the Kennebunk General Assistance Ordinance.*

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

To hear public comments on the Warrant for the Special Town Meeting (Referendum Questions) to be voted on at the November 8, 2016 Election.

Copies of the Warrant are available at the Town Clerk's Office.

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5 minutes)

- a. Accept a Donation from Hans Olsen – In 2009, Hans Olsen made a donation to the Town to purchase a sign for the new George Shaw Memorial Walkway & Garden. This walkway was located between the former Mobil Station (now the Waterhouse Center) and the Sunoco Station on Main Street and was relocated as part of the Waterhouse Center construction. The sign was designed by Kennebunk artist Robin Swennes.

Due to the relocation of the walkway, adjustments to the landscaping, and age and condition of the sign, Mr. Olsen approached the Town recently and wanted to donate the necessary funds (\$195) to replace the sign. Staff has reviewed the sign design and identified a location for installation.

MOTION: To accept the donation of \$195 from Hans Olsen for the George Shaw Memorial Walkway & Garden sign and send him a letter thanking him for his very kind donation.

7. Time Sensitive Business

- a. Discuss the Award/Purchase of a PowerLOAD Device Rom Stryker Unit – Sole Source Bid (5-10 minutes) – The Kennebunk Fire Rescue budgeted for a PowerLOAD device from Stryker Medical Corporation of Chicago IL in the Capital plan for this year (16-17). We have started the process to acquire this device and it is a sole supplier situation.

The quote for this device through Stryker is \$24,110. There is also an additional \$1,900 installation cost, but that would be paid to our ambulance vendor. Our budget is \$28,000 total.

The device is available through other vendors but the price would be the same as purchasing directly through the manufacturer. This falls under Section VI of the purchasing policy and needs Selectmen approval to move forward.

Budget Justifications/Status/Alternatives: The Power-LOAD™ cot fastener system lifts and lowers the cot into and out of the ambulance, reducing spinal loads and the risk of cumulative trauma injuries. This loading device replaces some of the last of the lifting that personnel have to do while loading a patient into the ambulance. The device is compatible with the lifting stretchers that we now use. It will reduce the possibility of spinal/back injuries and assist with the Town's liability through worker's compensation claims. This project will acquire one unit this budget cycle. The unit is ergonomically designed to reduce operator and patient injuries; Power-LOAD™ hydraulically lifts patients weighing up to 700 lbs. with the touch of a button. It also securely locks the stretcher in place and will sustain up to 25 G's of force during an accident. More information can be found at: <http://ems.stryker.com/assets/files/o/power-loadbrochure.pdf>

MOTION: To purchase the PowerLOAD Device from Stryker Medical at a price of \$24,110.

b. Take up the Following Election Items as Recommended by the Town Clerk for the November 8, 2016 Election (5-10 minutes)

1. Sign the Warrant for the Special Town Meeting for the November 8, 2016 Election.

MOTION: To sign the Warrant for the Special Town Meeting for the November 8, 2016 Election.

2. Confirm the Town Clerk's appointment of Mary Lou Nedeau as Warden for the November 8, 2016 Election.

MOTION: To confirm the Town Clerk's appointment of Mary Lou Nedeau as Warden for the November 8, 2016 Election as recommended by the Town Clerk.

3. Set the polling hours for 6:00 a.m. to 8:00 p.m. at the Edward C Winston Town Hall Auditorium for the November 8, 2016 Election.

MOTION: To set the polling hours for 6:00 a.m. to 8:00 p.m. at the Edward C Winston Town Hall Auditorium for the November 8, 2016 Election as recommended by the Town Clerk.

4. Approve the following additional hours for voter registration and absentee voting for the November 8, 2016 Election:

Town Hall:

Saturday	10-29-2016	8:00 AM to 3:00 PM
Sunday	10-30-2016	8:00 AM to 3:00 PM
Monday	10-31-2016	7:00 AM to 9:00 PM
Tuesday	11-01-2016	7:00 AM to 9:00 PM
Wednesday	11-02-2016	7:00 AM to 9:00 PM
Thursday	11-03-2016	7:00 AM to 9:00 PM

(11-04-2016 through 11-08-2016 are absentee voting days for *special circumstances only*.)

Nursing Home Voter Registration and Absentee Voting Hours:

Tuesday	10-18-2016	Huntington Common	9:30 AM to 11:30 AM
Tuesday	10-18-2016	RiverRidge	1:00 PM to 2:00 PM
Wednesday	10-20-2016	Atria	9:30 AM to 11:30 PM
Thursday	10-21-2016	Bradford	10:00 AM to 11:00 AM
Thursday	10-21-2016	Kennebunk Nursing	12:00 PM to 1:00 PM

MOTION: To extend the additional hours for voter registration and absentee voting as listed above for the November 8, 2016 Election as recommended by the Town Clerk.

- c. Discuss Allowing an Overlimit Permit for the Mathew J. Lanigan Bridge Reconstruction Project (5-10 minutes) – The Maine Department of Transportation (MDOT) has requested the municipality to issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits over municipal roads.

Enclosed is the request from MDOT. The Board of Selectmen needs to vote to allow this usage. MDOT requires performance and payment bonds from the awarded contractor, no additional bonding is necessary for the roads.

MOTION: To approve the Overlimit Permit pursuant to 29A MRS §2382 for the duration of the Mathew J. Lanigan Bridge Project, which is estimated to be October 2016 to December 2017.

8. Old Business (2nd Reading)

- a. Discuss the Skate Park Status (10-15 minutes) – The Town voted in June of 2015, by citizen petition, not to locate the skate park at Parson’s Field. The Town has received two inquiries from skate park companies that offer design/build services.

To bring the project back in focus, would the Board consider an ad-hoc committee to review and recommend a design/build firm for the Board’s review and approval? The firm would then plan, design, and construct a skate park at the Factory Pasture Lane location.

MOTION: To move to a second reading on October 11th.

9. New Business (1st Reading)

- a. Discuss a Consent Order Request for 54 Bayberry Avenue (10-15 minutes) – This was requested by Attorney Cadigan on behalf of the estate of David N. Barry to correct two setback violations on the property at 54 Bayberry Avenue. These violations were discovered during a recent boundary survey as part of a transfer of the property. This appears to be a violation by a previous owner that was inherited by Mr. Barry. Attached for your review is a memo from Paul Demers, Codes Officer regarding this matter as well as a packet of information from Attorney Paul Cadigan, representing the applicant.

MOTION:

- b. Discuss the Economic Development Committee Restructuring (5-10 minutes) – At their committee meetings in August and September, the Economic Development Committee (EDC) discussed options for the restructuring of the committee.

At their September 1st meeting, the EDC voted on the following proposed committee structure:

- **11 members:**
 - 7 Regular members
 - 4 Alternate members

 - Of the 11 members, they would like to include representatives from the other three committees involved with economic issues:
 - Lower Village Committee
 - Downtown Committee
 - West Kennebunk Village Committee

AND

- **4 ex-officio members** (to continue to facilitate lines of communication that are important to the success of the community):
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

Currently, the committee consists of the following members:

- 8 Regular members, although 2 have indicated they may be resigning
- 3 vacancies for Regular members
- 2 vacancies for Alternate members
13 positions

AND

- 4 ex-officio members
 - 3 Utility District Representatives
 - 1 Chamber of Commerce Representative

See detailed list below:

COMMITTEE	MEMBERSHIP	EXPIRATION DATE (June 30)	VACANCIES
Economic Development Committee	Robert Georgitis, Chair	2019	(1) 2018
	J. Steve Hrehovcik	2017	(2) 2017
	Angus Macaulay	2019	(2) Alt. 2017
	Gary Dugas	2019	
	John Daamen	2019	
	William Macdonald	2017	
	Heather Harris	2018	
	Rachel Phipps	2018	
	Laura Dolce, Chamber of Commerce Rep. (Ex-officio)		
	Norm Labbe, KKWWD Rep. (ex-officio)		
Selectman Liaison	Michael Bolduc, KSD Rep. (ex-officio)		
	Todd Shea, KL&PD Rep. (ex-officio)		
	Christopher Cluff		

MOTION: To move to a second reading on October 11th, which will allow time for further discussion at the Selectmen’s October 4th workshop on committees.

- c. Discuss the Town’s Board of Selectmen Strategic Plan (25-30 minutes) – In late June, the Board held a workshop with staff to review the survey results and identify the elements for developing a strategic plan. Our consultant, Don Jutton, from Municipal Resources Inc., has compiled that data and the information has been prioritized by the Board and staff. The results will be presented on Tuesday evening for further evaluation and discussions.

MOTION: To move to a second reading on October 11th.

- d. Discuss the RSU 21 Cost-Sharing Amendment Committee Results (5-10 minutes) – The RSU 21 Cost-Sharing Amendment Committee members representing Kennebunk, Dick Smith, Mike Mosher and Gayle Spofford, met with the State Facilitator and members of the committee representing the Towns of Kennebunkport and Arundel. The whole committee, after discussions, concluded that no changes were necessary to the existing Cost-Sharing Agreement. This agreement will come up for review again in five years.

No action necessary.

- e. Designate a Municipal Official as Voting Delegate for the Maine Municipal Association Annual Business Meeting in October – MMA is requesting the Town designate an Official Voting Delegate (and alternate if the Town desires) to vote on behalf of the Town at the Annual Business Meeting held in conjunction with the MMA Annual Convention on October 5, 2016 at the Cross Insurance Center in Bangor at 1:30 p.m.

MOTION: To designate the Town Manager as the Town’s Voting Delegate.

- f. Discuss the Upcoming Workshop in October for Committees (5-10 minutes) – The Board has set a workshop for October 4th to discuss Town committees. What information would the Board like for this session?
- g. Discuss the Selectmen’s Outreach Sessions for the Remainder of 2016 (5-10 minutes) – Sessions are generally held on the 3rd Saturday of each month (excluding the summer months) at the Town Hall (3rd floor) from 8:30 a.m. to 10:30 a.m. These sessions provide residents with a chance to meet and talk with Selectmen on a one-on-one basis. They are informal gatherings attended by two Selectmen.

We will need two Selectmen for each of the following dates (from 8:30 a.m. to 10:30 a.m.):

- Saturday, September 17th Selectmen _____ and _____
- Saturday, October 15th Selectmen _____ and _____
- Saturday, November 19th Selectmen _____ and _____
- Saturday, December 17th Selectmen _____ and _____

Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc.

- h. Discuss Boards and Committees (resignations/appointments, if any) (2-3 minutes)
 - **Appointment of Applicant being interviewed at the beginning of the meeting:**
 - o David Lee Hardwick Planning Board Vacancy: (1) Alternate 2017

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

MOTION: To appoint David Lee Hardwick as an Alternate member on the Planning Board with a term expiring on June 30, 2017 (when all other alternate positions expire).

- i. 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. **Upcoming Events and Workshops:**
 - **Saturday, September 17 – Selectmen Outreach Session** will be held from 8:30 a.m. to 10:30 a.m. on the third floor of the Town Hall.
 - **Tuesday, September 27 – Board of Selectmen Meeting** – The Town Manager is unavailable to attend this meeting, therefore the Board will take up the Town Manager’s Contract (in executive session). This should be the only item on the agenda.

- **Tuesday, October 4** – Board of Selectmen Workshop on Committees will be held at 6:30 p.m. on the third floor of the Town Hall.

b. Items Pending

- Park Use Ordinance will be discussed at a future meeting (most likely October 11th) – waiting for new ruling from FAA. This was scheduled for a second reading at the July 12th meeting.
- Public Services Travel Bus Bid – At the August 9th meeting, this was moved to a second reading. However, after future discussion, it was decided to re-bid this vehicle. This item should be ready for the October 11th agenda.

12. Executive Session(s)

- a. Discuss an Economic Development Matter with the 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)

13. Adjournment