

**TOWN OF KENNEBUNK
BOARD OF SELECTMEN
TUESDAY, OCTOBER 25, 2016 – 6:00 P.M.
KENNEBUNK TOWN HALL
3rd FLOOR/ROOM 301
AGENDA**

REGULAR MEETING – 6:00 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. Executive Session (30 minutes)

- a. Discuss with the Town Manager, Director of Human Resources, and Town Attorney the Employment Terms and Conditions of the Town Manager where premature public discussion of the same would likely violate his right to privacy – Title 1 MRSA Sec. 405(6)(A)
- b. Discuss with the Town Manager, Director of Human Resources, and Town Attorney the Possible Appointment of an Interim Town Manager and Related Terms and Conditions – Title 1 MRSA Sec. 405(6)(A)

It is estimated that the meeting will resume at 6:30 p.m.

3. Minutes and Items to be Signed (5-10 minutes)

- a. October 11, 2016 Regular Meeting
- b. Any Items as Presented

4. Public Hearing(s)

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

**Pilothouse Inc. d/b/a Pilothouse Restaurant
Located at Harbor Lane
For a renewal Malt, Spirituous and Vinous Liquor License Application
and
Renewal of a 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 Spirituous and Vinous Liquor License Application and Special Amusement Permit Application for Pilothouse Inc. d/b/a Pilothouse Restaurant.*

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

**Merrilee Paul and David Ross d/b/a Owen's Farmhouse
Located at 17 Main Street
For a renewal Malt 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 and Vinous Liquor License Application for Merrilee Paul and David Ross d/b/a Owen's Farmhouse.

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

**Village Tavern d/b/a Village Tavern
Located at 110 Alfred Road
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 Village Tavern d/b/a Village Tavern.

- d. The Municipal Officers of the Town of Kennebunk will hold a Public Hearing to hear public comments on the **Proposed amendments to Town of Kennebunk Ordinance 6 6-1 entitled Street Vendors and Peddlers.**

Changes proposed would lower the fee for a food vendor at the Waterhouse Center from \$800.00 to \$500.00, and would allow a vendor to rent up to two spaces. The current ordinance allows for only one space.

5. Public Comments (5-10 minutes)

6. Acknowledgements/Announcements (5 minutes)

- a. Traffic Changes for Halloween (Monday, October 31) are as follows:

- Summer St. will be closed between Park St. and Depot St. from 5:00 P.M. to 9:00 P.M.
- Eastbound traffic will be detoured onto Park St., and westbound traffic will be rerouted down Depot St.
- There will be a police officer at both ends of the detour.
- This temporary road closure will take place to make it safer for trick-or-treaters and motorists alike.
- There will be no parking on Winter St. on either side during the detour.
- There will be parking limited to one side of Park St. from the intersection of Winter St. to Summer St.

Thank you for your cooperation and patience on this day.

7. Time Sensitive Business

- a. Discuss a Request by the Kennebunk Police Department for Officers to be Cross-Sworn as Deputies with the York County Sheriff's Office (5-10 minutes) – Kennebunk Police requests the Board's approval to have officers cross-sworn as deputies with the York County Sheriff's Office. This is

similar to their request for state-wide arrest powers that the Board granted on February 9, 2016, but allows the authority for Kennebunk officers to enforce traffic law throughout the county while operating as part of the regional Impaired Driving Task Force and Underage Drinking Task Force.

The previously granted state-wide authority only applies to enforcement of criminal laws, not traffic laws. Kennebunk's Police command staff, detectives and the officers assigned to those regional teams would be cross-sworn with York County Sheriff's Office and their commission with the county will run concurrent with their full-time law enforcement employment with the Kennebunk Police Department.

MOTION: To approve the Kennebunk Police Department's request to have officers cross-sworn as deputies with the York County Sheriff's Office.

- b. Discuss the Award/Purchase of a Backup Appliance from Quadbridge Inc. – Sole Source Bid (5-10 minutes) – The IT Department budgeted \$44,000 for a replacement Server/Desktop Backup device. Rich Boucher, IT Director, performed a thorough analysis with the vendor, Quadbridge, Inc. comparing compatible products (see enclosure packet for Backup Appliance Summary).

The closest matches, by features, are Barracuda and Unitrends. A summary of the quotes received is shown below:

Barracuda	\$110,196.83
Unitrends	\$34,445.98
DATTO SIRIS 3	\$12,119.66

Rich Boucher recommends Unitrends Backup Appliance (RC823S) for \$34,445.98. This pricing was extended to October 31, 2016 and includes free product installation and 3-day training, which the other two products did not include. Rich will be available at the meeting to answer any questions the Board may have.

MOTION: To purchase the Backup Appliance from Unitrends at a price of \$34,445.98.

8. Old Business (2nd Reading)

- a. Discuss the Results of the Strategic Planning Survey (40-50 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. Don will be in attendance to review the results. The "Total Group Rating" is the compilation of Selectmen and Department Manager ratings.

Once the Board agrees on the strategic initiatives, staff will identify objectives for the next three to five years. This information would then be reviewed at the Board's November 22nd meeting.

MOTION: To move this draft forward and have staff develop recommendations for the November 22nd meeting.

- b. Discuss Setting a Special Town Meeting Date for the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs (10 minutes) – To enact this Moratorium (which provides the Planning Board with time to draft an Ordinance), the Town will need to hold a Special Town Meeting. The proposed date for the Special Town Meeting is February 28, 2017. This date will provide for absentee voting.

The information provided in the packet defines the timeline to bring the Moratorium Ordinance to a vote in February, 2017 and subsequent Ordinance to a vote at the Annual Town Meeting in June, 2017.

MOTION: To set the Special Town Meeting date of February 28, 2017 to vote on the Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs.

9. New Business (1st Reading)

- a. Presentation of Division/Department Overviews (30 minutes) – Division Directors will be presenting a 5-minute overview of significant accomplishments within their departments and identifying select goals and objectives they will be striving to attain in the coming months.

Overviews Scheduled for the October 25th Meeting

- Eric Labelle – Public Services (Public Works, Parks)
- Mathew Eddy – Economic Development
- Merton Brown – Town Clerk/Elections
- Tasha Pinkham – Recreation
- Michael Pardue – Human Resources

Overviews Scheduled for the November 8th Meeting

- Jill LeMay – Kennebunk Free Library
- Jeff Rowe – Fire/EMS
- Robert Mackenzie – Police
- Chris Osterrieder – Community Development (Planning, Codes, Community Dev.)
- Joel Downs – Finance Office (Finance, Tax Collection, Assessing, IT Dept., GA)

No motion is necessary.

- b. Discuss a Partial Fireworks Ban (10-15 minutes) – The Selectmen’s Ordinance Subcommittee met to discuss options for a Fireworks Ordinance. The committee, by consensus, agreed that the Town may wish to enact a limited ordinance which allows for the use of fireworks on certain dates. The committee discussed the ability to possess fireworks in Kennebunk and allow for the transport to a location that allows fireworks, adjust the state's dates for fireworks, provide an education program, and install signage.

Enclosed in the packet is information from state law and several ordinances of towns that have a partial ban. The subcommittee is asking the full Board whether a limited ordinance should be drafted for further consideration.

How would the Board like to proceed?

MOTION:

- c. Discuss Pay-As-You-Throw Program Funding Scenarios (10 minutes) – In late spring, the Board asked the Energy Efficiency Committee (EEC) to review various options for funding the PAYT Program.

The EEC has met and made a recommendation, based on scenarios discussed by the Board. They recommend that in 2017, curbside collection be funded partly with bag fees and partly through the budget. They also recommend keeping the bag prices the same for 2017. After one year, they would like to have the program evaluated to determine if the bag prices should be adjusted.

Enclosed in the packet is the scenario listing and recommendation from the Energy Efficiency Committee.

MOTION:

- d. Discuss the Selectmen's Meeting Schedule for December (5 minutes) – In December, the Board is scheduled to meet on December 13th and 27th. Does the Board still wish to hold their meeting on December 27th, so close to (and between) the holidays? Municipal Offices will be closed on Monday, December 26th for the Christmas holiday and Monday, January 2nd for the New Year's Day holiday.

MOTION:

- e. Discuss Board and Commissions (Resignations and Appointments, if any) (2-3 minutes)
- f. Update (if any) on the Transition of the Town Manager (5 minutes)
- g. 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:
 - **Tuesday, November 1** – Board of Selectmen Workshop on Salaries will be held at 6:30 p.m. on the third floor of the Town Hall.
 - **Tuesday, November 29** – Board of Selectmen Workshop on the Strategic Survey and the Upcoming 2017-18 Budget will be held at 6:30 p.m. on the third floor of the Town Hall.
- b. Skate Park Committee – We are looking for 3 skaters and 4 residents to join this new committee. Interested residents should fill out a Committee Volunteer Form. Forms are available in the Town Manager's Office, Town Hall Lobby, and on our website at www.kennebunkmaine.us/committees. Forms are due no later than Thursday, November 3rd. A short meeting (15 minutes) will take place on Tuesday, November 8th at 6:15 p.m. on the 3rd floor of the Town Hall. **All applicants should attend.**
- c. Park Use Ordinance will be discussed at a future meeting – waiting to review new ruling from FAA. This was scheduled for a second reading at the July 12th meeting.
- d. Revisions to the Town Committee Process – The Selectmen met with committee members in a workshop session on October 4th to review items pertaining to Town committees (committee membership size, attendance, by-laws, etc.). We will be gathering committee suggestions for possible changes, which will then be forwarded to the Selectmen for review.
- e. Traffic Calming Policy – at the September 13th meeting, the Board heard from members of the public about speed bumps. Staff will be revisiting the Traffic Calming Policy to refine several aspects of the policy and application. The proposed amendments will be brought back to the Board for a discussion in November.

12. Adjournment