

TOWN OF KENNEBUNK
BOARD OF SELECTMEN MINUTES
JANUARY 10, 2017 - 6:30 P.M.

REGULAR MEETING – 6:30 P.M.

1. Call to Order & The Pledge of Allegiance

On Tuesday, January 10, 2017, at approximately 6:30 P.M., in Room 301 of the Town Hall, Richard Morin, Chairman of the Board of Selectmen for the Town of Kennebunk, called to order the Regular Meeting of the Board of Selectmen. Present were Selectmen L. Blake Baldwin, Richard Morin, Edward Karytko, Daniel Boothby, Deborah Beal and Christopher Cluff. Selectman Shiloh Schulte was absent.

Also in attendance were Town Manager Michael Pardue.

The Chair proceeded to the next item.

2. Minutes

- a. December 13, 2016 Regular Meeting

DISCUSSION:

None.

A motion was made to approve the minutes from December 13, 2016.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

3. Items to be Signed

- a. Items as Presented

None. The Chair proceeded to the next item.

4. Public Hearing(s)

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

Hummingbird Café d/b/a Squaretoes Restaurant
Located at 30 York 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.

DISCUSSION:

None.

A motion was made to approve the Malt, Spirituous and Vinous Liquor License Application for Hummingbird Café d/b/a Squaretoes Restaurant.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

- b. Municipal Officers of the Town of Kennebunk will hold a Public Hearing to act on the following:
Old Vines Wine Bar LLC d/b/a Old Vines Wine Bar
Located 173 Port 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.

DISCUSSION:

None.

A motion was made to approve the Malt, Spirituous and Vinous Liquor License Application for Old Vines Wine Bar LLC d/b/a Old Vines Wine Bar.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

- c. 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 Malt, Spirituous and Vinous Liquor License Application
AND
Special Amusement Permit 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.

DISCUSSION:

None.

A motion was made to approve the Malt, Spirituous and Vinous Liquor License Application and Special Amusement Permit Application for Mogo Holdings d/b/a Pedros.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

d. 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):

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.

DISCUSSION:

William Lord spoke on this matter, stating that he is a partner in a commercial drone company which does business in Kennebunk. He also said that they do a lot of commercial real estate work in Kennebunk. He elaborated on the practices of the business he is a partner with, saying that they often knock on doors which are in close proximity to the soon-to-be examined property to tell them that they will be flying drones in the area for commercial purposes (to get a good photo of properties). Next, Lord explained that they call the police department and tell them that they are in a neighborhood, at a certain time, and inform them that if they get a call, they (Lord and the business he is a partner with) are authorized by the FAA to do such commercial activity. Such a practice is not required by law but Lord said that they do it as an act of courtesy, further explaining that they are not doing these things to spy on people. Lord suggested that the Board modify the section on drones in the proposed Ordinance to read something as follows, "Drones shall not be allowed to use [meaning to take off or land] Town parks or facilities except at such places as may be established for such purposes." Lord thinks that it makes sense for the Board to establish areas in Kennebunk where drones can fly at a certain time and to make the public aware that such activity will be occurring. He noted that drone racing is becoming more popular and needs to be regulated "in terms of location." Thus, the last part of his proposed change to the proposed Park Use Ordinance takes into consideration the interest of youth in drones, etc. and gives people a place to fly drones.

Karytko believes that the original purpose of the no-fly zone over parks, beaches, etc. was based on public safety. He also said that he thinks that no one can completely control drones. Therefore, in an area which is "reasonably populated," there is a safety concern. Thus, Karytko wonders why drones should be flown over parks, stating that there are plenty of other areas in Kennebunk to fly drones. Lord said that flying drones over parks is allowed by FAA rules and that it is launching and landing in parks that is not

allowed. Lord said that setting aside a location and time to fly drones encourages people, enthusiastic about drones, to participate in drone activity in the allocated locations to do such.

Lionel Menard also spoke on this matter. His understanding was that the changes, presumably referring to the proposed Park Use Ordinance on drones, were going to require people to obtain a permit in order to use drones in Kennebunk. Cluff spoke, saying that people are only required to get permission from the Recreation Director. Menard then said that such permission is where he wants the requirements to start. He said that where he lives there are a lot of people not following FAA regulations. He said that there are drones in his yard and people standing in the street flying drones over cars. Therefore, he at least likes that they are proposing to require permission (referring to people needing permission from the Recreation Director) because, this way, if users of drones are approached and found out to not have such permission, they must stop what they are doing. Morin, however, said that the proposed Park Use Ordinance talks about the use of drones in parks not on public land. Menard added that he believes allowing people to go into the parks at a certain time to fly drones is a mistake.

Morin said that Menard was “on to something” and explained that he is thinking that they can both designate specific areas to fly drones and seek at least verbal permission to be given to people who wish to fly drones. This way they can know where drones will be flown and when they will be flown. He explained, however, that they do not want to regulate the use of drones on anyone’s street.

Baldwin also spoke, saying that the Town does not have the authority to regulate the use of drones in the Town of Kennebunk outside of its own property. Menard worried about people spying on people in their houses, through the use of drones.

Morin asked about the enforcement if a drone pilot breaks a FAA law. Lord responded, saying that there would first have to be a complaint to the FAA. In this area, the complaint would have to be directed toward the Flight Standard’s District office at the Portland Jetport. Then, the FAA would try to identify the owner of the drone (there is supposed to be identification on the drone) and send the owner an educational letter. Lord did acknowledge people who may have gotten drones for Christmas and flew them without really knowing what they were doing and/or did not follow FAA regulations on drones. Lord said that the Town is in a position to educate when they allocate for the use of drones in certain locations and at certain times.

Michael Pardue also spoke, saying that, though he knows this part of the proposed Park Use Ordinance pertains to the use of drones in parks, for the sake of compromise, Lord’s proposed language could be used with the add-on that the Town use policy to govern in order to make sure that they are not changing ordinances. This way they can have a policy that can be amended if it is not working instead of having to make ordinance changes. Boothby said that what Pardue said is very reasonable.

Karytko added that they can indeed have different educational programs on drones and said that Parks and Recreation can probably set something up, adding that they have said that they want to have some kind of drone training as one of their programs.

Baldwin said that when you own a home, you own that area to the “center of the Earth to the sky above,” but that the FAA has complete control over the airspace. Therefore, people can’t regulate drones even on their own property because the FAA controls the airspace. Morin did add, however, that people can issue a complaint to the proper authorities.

Pardue asked Morin if he wants the language, as referenced, to be incorporated and brought back on the 24th. Morin said that he does want that to happen.

The Chair proceeded to the next item.

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

A proposed moratorium on retail marijuana establishments and retail marijuana clubs in the Town of Kennebunk. This question will go before the voters at a Special Town Meeting Referendum Election on February 28, 2017.

Copies of the proposed moratorium 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):

The Board has already voted to send this to a Special Town Meeting on February 28, 2017. No further action is required.

DISCUSSION:

Lionel Menard asked if absentee ballots will be available for this upcoming vote. Merton Brown, Town Clerk, said that there will be absentee ballots available. Menard then asked Brown when it will start. Brown believes that it will start on January 27. Menard also asked Brown if the wording of the question, to be voted on at the Town Meeting Referendum Election on February 28, 2017, will be available online before January 27. Brown said that Menard can get the wording of the question from him tomorrow.

The Chair proceeded to the next item.

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

The discussion of proposed carry forward balances remaining in accounts with unexpended funds (from FY 15-16 to FY 16-17).

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, 2016. The books and records for the general fund are nearly closed, with one of the final steps in this process being the identification of funds to be carried forward from fiscal year 2015-2016 into fiscal year 2016-2017.

DISCUSSION:

Joel Downs, Finance Director, went over this agenda item and handed out a spreadsheet with carry forwards for Boards and Committees (the top part of the spreadsheet are carry forwards for Boards and Committees while the bottom are other carry forwards). He said that doing this is an annual occurrence which is given to the Board of Selectmen by the Legislative body. They will then carry forward the funds into the current fiscal year, 16-17, and all of this becomes a part of their financial statements. Downs went on to note that the spreadsheet cites the assigned General Fund balance as well as the committed General Fund balance. These two balances are separated from the unassigned General Fund balance. Having carry forwards allows them to spend extra funds that were unexpended from previous years. Boothby got confirmation from Downs that what Downs was just saying means that the money stays with the committees and that they can use it this year. Downs then cited the amount of money from carry forward

from Boards and Committees to be assigned into FY 16-17. The total amount of money to be carried forward into FY 16-17 from Town Boards and Committees is \$28,295.59. Downs moved onto the middle of the spreadsheet, which notes other carry forwards, and read from the list. The total amount of money from other carry forwards is \$147,992.46. Therefore, the total assigned General Fund balance is \$176,288.05, calculated when adding the amount of carry forward money from Boards and Committees with the amount of money from other carry forwards ($\$28,295.59 + \$147,992.46 = \$176,288.05$). This number is what the Board of Selectmen is allowed to vote on. However, the rest of the numbers, cited at the bottom of the spreadsheet which Downs handed out, is not to be voted on by the Board because they have no jurisdiction over them as they were voted on at Town meeting, in other words, by the Legislative body. The total amount of this money to carry forward is \$1,000,249.33.

Karytko asked whether, if some of these carry forwards occur for years in a row, they will sit down during budget time and discuss whether or not so much money was needed for certain things. In other words, is budget time when they should discuss such? Cluff said that they have already done such in some cases.

Beal asked if the Committees had a chance to put in what they wanted for a budget. She noted Energy Efficiency Committee and said that she thinks \$700 is not enough for them to have for a year. Downs responded by saying that these totals do not represent the budget amounts for Boards and Committees, but rather are only carry forward dollars into the current year. It is money that is leftover and which is made available for their use in the current year. Beal then stated that she wants to make sure that Energy Efficiency Committee does not only have \$767.37 for the entire year. Downs said that he believes that the Committee will have \$2,100, the usual amount of money that they are granted.

A motion was made to carry forward fund balances remaining in accounts with unexpended funds (from FY15-16 to FY16-17).

MOVED:	Karytko
SECONDED:	Cluff
MODIFICATIONS:	None
VOTE:	6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

5. Public Comments

Lionel Menard asked if the Town is still considering allowing someone to put in place a large cell tower near Parson's Beach. Morin said that he missed the last Planning Board meeting, thus he does not know the answer to Menard's question. Pardue stated that the matter is in a proposal process. Menard asked when the next public meeting regarding the matter will be held. Menard said that there are environmental concerns, etc. about placing this cell tower near Parson's Beach.

Merton Brown spoke. He said that dog licenses were due on December 31, 2016. He said that the month of January is a "grace period." Beginning on February 1, 2017 there will be a fine of \$25 given to people who seek to get dog licenses. Simply put, if someone gets a dog license now, they will pay \$6, but if they wait until after January, they will have to pay \$31 (because of the added \$25 fine).

The Chair proceeded to the next item.

6. Acknowledgements/Announcements

a. Accept the Following Donations – The Town recently received the following donations from the Kennebunk community:

- For the Emergency Fuel Assistance Fund and Social Services:
 - \$200 from an anonymous donor
 - \$250 from Karen and Michael Pardue of The Tideview Group
 - \$407 from the Red Hat Group the “Kindred Bunkies”
 - \$1,000 from Estabrook’s
 - \$1,000 from Betsy Ames-Fitzgerald, Coldwell Banker Residential Brokerage
 - \$5,000 from Tim Harrington

- For the Fire Rescue Department:
 - \$100 from Michael & Virginia Hammar
 - \$1,000 from John & Nancy Cummings in memory of Harrison G. Coleman and Lloyd Nedeau

DISCUSSION:

None.

A motion was made to accept the donations for Fuel Assistance, Social Services and Fire Rescue and send letters of appreciation to all donors for their generous support.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

b. Hear a Brief Presentation on the Recent Storm (December 29 - January 2) – The Director of Public Services, Eric Labelle, will provide an update of the recent storm activities.

DISCUSSION:

Eric Labelle, Director of Public Services, gave the above-described presentation. He went over the challenges that he and his crew face during storms. He thanked the public for being patient with them. He said that they have a crew of about 12 people. These 12 do all of the plowing of streets and clearing of sidewalks and snow removal in all villages. He talked about this recent storm, noting the difficulty because they received snow at the beginning and then a significant amount of rainfall, making things difficult for the crew. Then, around 8 p.m., 6-8 inches of wet, heavy snow fell. The crew spent many non-stop hours, including overnight hours, during this storm. He thinks that the crew did well. The total cost of the storm, numbers which include fuel, overtime, materials, straight-time, etc., was about \$31,000.

Morin asked about truck damage and breakdowns. Labelle said that there were a few breakdowns, but nothing too major, and added that they have been very fortunate and that the mechanics have done well at keeping up with the equipment. He said that they are probably having the biggest problems with the two sidewalk tractors that they have. It is hard to keep both of them up and running. He said that the machines have to cut through ice banks which is difficult to cut through. They clear off the sidewalks after they have removed snow from the roads, therefore creating the very heavy snow and/or ice on the sidewalks

which their sidewalk tractors must deal with. He also said that they now only have one sidewalk tractor, but that they are hoping to get another one tomorrow in exchange. Pardue added that the pace of the one machine that they have running, to clear all of the snow from the sidewalks, operates at about 1 mile per hour. He also said that they are trying to “storm cost” every storm to determine if they are using their manpower and product efficiently.

Karytko believes that it was on Friday before New Year’s that he noticed that the roads were a bit “choppy” and he was wondering where the crews were. However, he then went down to Portsmouth, and went through Wells, and the roads were all the same. Thus, he determined that it must have been the nature of the storm and decided not to say anything. He said that the sidewalk on Alfred Road in West Kennebunk does not get done. He added that a sidewalk to “nowhere” on Thompson Road gets done. He also said that the sidewalk on Alfred Road is a fairly well traveled sidewalk. Labelle said that it is most likely a function of the routes. Typically, the sidewalk tractor goes down Route 35 and then takes a left onto Thompson Road which connects back into the school. They want to make sure that the school walking routes are open. Then, thinking more in depth, Labelle stated that he believes a breakdown caused the sidewalk on Alfred Road not to get removed of snow during this past storm. Finally, Karytko asked about salt versus sand. Labelle explained. Sometimes, when there is just ice, they only use sand. Other times, they use a mixture of salt and sand.

The Chair proceeded to the next item.

c. Holiday Closures and Curbside Collection Information for Martin Luther King, Jr. Holiday, Monday, January 16

- Town Hall and Department of Public Services will be closed
- Transfer Station will be closed (closed Sun. & Mon. each week)
- Curbside collection of trash and recycling will take place as usual all week.

The Chair proceeded to the next item.

7. Time Sensitive Business

- a. Take Up the Town Manager Appointment of the Tax Collector– Joel Downs is the Town Manager’s Nomination for Tax Collector for the remainder of the fiscal year (through June 30, 2017). This position was previously held by Barry Tibbetts.

Confirmation from the Board is required.

DISCUSSION:

Pardue said that this nomination request for the Board’s confirmation and appointment is based on Town Charter. They believe that the Finance Director, within the Charter, should be cited as the Tax Collector.

A motion was made to confirm the Town Manager’s Nomination of Joel Downs as Tax Collector through June 30, 2017.

MOVED: Baldwin
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

8. Old Business (2nd Reading)

None. The Chair proceeded to the next item.

9. New Business (1st Reading)

- a. Appoint the Registrar of Voters through 2019– State law requires the Board of Selectmen to appoint a Registrar of Voters in all odd number years for a two year period. Town Clerk Merton Brown has agreed to serve in this position.

DISCUSSION:

None.

A motion was made to appoint Merton Brown as Registrar of Voters until December 31, 2019.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

- b. Discuss a Criminal Forfeiture Request by the Kennebunk Police Department for the Transfer of Forfeiture Assets to the Town– As part of the Kennebunk Police Department's commitment with the Maine Drug Enforcement Agency, our assigned Agent initiated a criminal investigation of a male in Southern Maine who was trafficking in heroin. During the actual arrest, the Agent seized \$6,472 in suspected drug proceeds, as well as a 2004 Chevrolet 1500 pickup truck from the defendant. Upon the case being adjudicated in York County Superior Court, it was determined that these monies were in fact drug proceeds. Twenty-five percent of the currency (\$1,618) and the Chevrolet pickup truck will be forfeited to the Kennebunk Police Department for their substantial efforts in this case.

DISCUSSION:

Pardue said that if the 2004 Chevrolet 1500 pickup truck, cited above, is of little value or use to the Town it will be one of the items that is moved through sealed bid.

Karytko asked what happens to the money. Pardue responded by saying that it goes into a forfeiture fund that is used by the Police Department for other activities, likely in their enforcement actions against illegal drug trafficking.

A motion was made to sign the Municipality of Kennebunk Approval of Transfer form (for Docket No. CR-16-775) approving the transfer of \$1,618 and a 2004 Chevrolet 1500 pickup truck (or the proceeds from the sale of said vehicle if it is deemed to be the best interest of the Town); with said funds being retained by the Police Department.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

- c. Discuss the 2017 TIF Operational Expenditures– The Economic Development Committee (EDC) has met with the Lower Village, Downtown and West Kennebunk Village Committees to discuss the TIF operational expenditures for 2017. The proposed TIF budget meets the expectations of the committees.

On the "2017 TIF Districts - Projects and Recurring Expenditures" spreadsheet, the committee approved all but one item, which was inadvertently left off the list at the time of their vote. That item is the contribution to the Economic Development Corporation, which was funded last year. The committee will formally vote on this remaining item on January 14th and will forward their recommendation to the Board of Selectmen for the January 24th meeting.

For the purposes of this first reading, all items (including the amount for the Economic Development Corporation) have been included on the spreadsheet. The three items highlighted in yellow represent the new additions for 2017. This proposed budget adds in a social media/marketing component, provides additional benches in Lower Village and sets aside funds for a beach parking study. These additions align with the strategic plan. Laura Dolce, Executive Director of the Kennebunk-Kennebunkport-Arundel Chamber of Commerce, will be in attendance to share details on the social media services. Finally, the proposed TIF budget also moves the Economic Development Director compensation to the regular budget.

DISCUSSION:

Mathew Eddy spoke with regard to this agenda item. He said that they reached out to the committees. They met with the Lower Village Committee and the Downtown Committee and explained the budget and what they were trying to do. There were two things that were left out that will need to go back to the Economic Development Committee (EDC) because they did not realize that the Board had shifted money, last year, for the Downtown Committee and the EDC, and took money out of the TIF fund to pay for such. Eddy said that they did not have such in their spreadsheet so they added it in since the occurrence. Eddy said that the EDC approved increasing funds for Shakespeare in the Park from \$3,500 to \$5,000 this year, which is a slight increase, which was done at their request. The beach parking study is now out for RFP.

Laura Dolce, Executive Director of the Kennebunk-Kennebunkport-Arundel Chamber of Commerce, spoke. She handed out a spreadsheet to the Board of Selectmen which had a header that read "2017 TIF Districts Projects and Recurring Expenditures." She elaborated on the use of social media, saying that as to date the Town of Kennebunk's Facebook page has 538 likes. She said Facebook will often "squash," your post when you use the wrong word, post without pictures, or include a URL. She said that the majority of the Town's posts to their Facebook page has URL's and no photos and, therefore, the Town is really just using their Facebook page as a virtual bulletin board rather than as a communication tool. She went on to comment on the usefulness of social media, essentially saying that many people can be reached via social media. The Town could also set up an Instagram page, suggested Dolce, to better use social media, or include more photos and videos in posts. She said that the Kennebunk Police Department has a great, active Facebook page, with over 4,200 members. She said that she also had discussions about Town flyers and said that they were discussing having designs for such flyers.

Cluff asked Pardue how the trialing with staff is going. Pardue said that a week ago, Karen Winton was shifted to a position in which she spends roughly half her time with general assistance and the other half of her time managing social media, adding that they have a new website that will be launched in late

February. Pardue also agreed with Dolce that they are not using their ability to reach out to people via social media as effectively as possible. He went on to say that staff has not had the opportunity to spend the time necessary on improving the Town's social media (or more generally, features of the Town's social media). Therefore, this has to be addressed, said Pardue. Thus, Karen Winton has been assigned, for eight weeks, to make sure that the Town's social media presence is better than it currently is. Then, she will return to the front office when tax collection as other things become necessary for her to tend to.

Mathew Eddy said that, in their survey, they found that they reached out well to older people, but not to the vast majority of others. He said that the Chamber is very good with using social media effectively. Pardue added that they do not have the time and staff resources to tackle this matter.

Karytko acknowledged the value of social media but wondered who the Town wants to contact. Pardue said that, because the Town is in a competitive marketplace as a community, they are trying to attract residents, businesses, and employees, and want to profile and highlight Kennebunk. Social media allows the Town to reach out to residents as well as the entire world. Karytko noted that he does not even look at social media, stating that he does not have the time to do such. He hears of events but realizes that he does not have the time to attend them. He does not want to just put money into this and see what happens, and noted that it is the taxpayer's money which would be used for it.

Morin gave an example of the Westbrook Police Department offering incentives to people to work as a police officer in Westbrook. Pardue added how good the cited incentives are and said that they (the Town of Kennebunk) cannot currently compete with such impressive incentives, thus leading qualified people to go elsewhere.

Cluff talked about the money for the Development Corporation, asking if it was for the micro-loan fund. Eddy said that it is "the theory behind it." Cluff also asked when they last gave the micro-loan. Robert Georgitis, Chairman of the Economic Development Committee, answered this question. He said that the money given to the Development Corporation is not just for the micro-loan fund, but also for the operating expenses. They need to complete an annual audit and have insurance for the Board of Directors. Cluff asked if the money, then, is the operating budget. Georgitis said that they have not spent any of the money. They got a few inquiries but nothing forced them to have a meeting to request loan money out of the micro-loan fund.

John Costin, from the public, spoke. He talked about the social media contract and was wondering how the proposal has come forward. He asked if there was a RFP from the Town of Kennebunk for the "package" of social media services. Eddy answered by saying no, they went directly to the Chamber at the beginning because they deemed them to have the skills and knowledge of the community which will help Kennebunk. Costin wanted to make sure that the Town is following rules and said that Kennebunk has a purchasing policy which requires the Town to go out to bid for certain things. Costin said that they should develop a vision of what exactly they want to do with social media that the Town takes part in before spending so much money on such even though he believes that the Chamber is capable of doing good things with the Town's social media. Then, they can put out their vision and see who can best do what they want to do.

Cluff said that he agrees with much of what Costin said, adding that there are many unanswered questions. Beal stated that she agrees with Costin and Cluff, saying that she does not see the value in the social media aspect of this discussion. She said that she does not use social media too much and thus finds it hard to envision where they want to go with social media for the Town. She suggested that they focus

on the Town website rather than social media for the Town. She does not want to see bad-mouthing, etc. on social media, commenting that such can be controlled but not “24/7.”

Baldwin asked how other towns deal with the 1st amendment with regard to Facebook. He also asked who will monitor the conversations that are had on Facebook. However, he said that he believes social media to be crucial for the Town in order to better communicate with the youth in the community. He said that it does not really matter if members of the Board use social media or not. He said that there was a very low turnout for the Strategic Survey. They got 400 people and most were not exactly young. He also agreed, however, that there needs to be more vision with regard to the matter and the costs of all of this needs to be looked at as well.

Costin spoke again, saying that he has not decided whether or not the Town really needs a Facebook page, but thinks that they should at least be “clear about it.” He also said that, because there seems to have been low demand for the micro-loan program in the Development Corporation, for apparently several years, he wonders if the Town should continue contributing to it, noting his belief that they have a parallel system because they have an Economic Development Committee, etc. and said that the Town does not have much say over the Development Corporation. He said that, though the Development Corporation can do things that a Municipal government can’t, such services seem not to be well utilized.

Boothby got confirmation that they got the money for the Economic Development Consultant out of the TIF. He discussed this matter a little bit further. Cluff said that he has been advocating, for many years, that the Economic Development Director’s salary should not be in the TIF. He does not think that a staff position’s salary should come out of the TIF. Boothby said that what Cluff said makes sense, but added that it simply means that they are paying for the Economic Development Consultant by some other means. Morin said that it is difficult with TIF’s because there is no “TIF police,” so to say. The Board is supposed to police themselves and make the best decisions.

Beal elaborated on the various items in the spreadsheet. She said that she is not sure that they need to spend so much money on the trolley (\$34,000). She also commented on the high costs of the flowers downtown, as well as the maintenance of the flowers, adding that the costs for such (\$37,000) is much more than it had been in the past. She wondered if there are things that they can do to reduce these costs such as planting different flowers. Baldwin said that the trolley is necessary because of the Downeaster Train. Morin added that Kennebunk rejected funding a trolley in Kennebunk, twice.

Boothby said that it is difficult because the TIF is under the Board’s discretion. Only the Board can vote on such, not the other Town residents.

Karytko asked if they will have time to “digest” all of this information before they come back to this topic for the second reading on it. Eddy said that he had compiled some notes and stated that he will develop some responses to the questions that the Board raised during discussions on this agenda item, and give them to the Board before the Board’s next meeting.

Bob Georgitis spoke again, this time about the costs of the flowers. He talked about how his private company advertises and promotes his company by doing things such as having their own website and having brochures. He said that, for the Town, the flowers discussed earlier by Beal, are like ads for Kennebunk. He said that the flowers are talked about and that they promote the Town. Therefore, he thinks that they are a good investment as long as they can shelter such money and maximize it by putting it through the TIF program. Beal insisted on finding a way to reduce the costs of the flowers, adding that she thinks only eight years ago the whole budget for flowers was \$5,000.

Karytko asked Georgitis what they are trying to do in Kennebunk by spending so much money on flowers. Some discussions occurred. For example, Cluff said that his family's business receives many compliments on the Downtown. He thinks that there would be more uproar if they didn't put in flowers.

Laura Dolce spoke again, saying that many people compliment the flowers. She said that the flowers allow the Town to market to tourists and potential residents who are trying to decide if they should live in Kennebunk or perhaps, for example, Wells. Therefore, the flowers are doing more for economic development than some may think. She also said that some communities have great increases in business by having flowers in their downtown areas. Beal said that she understands what Dolce was saying, but added that she thinks the costs for flowers can be brought down. She also said that she wouldn't make a decision on where to move, based on flowers but would rather look at the mill rate, school system, etc. Dolce responded by saying that the flowers are a part of the "package." Eddy talked about a presentation that they want to show at some point in the near future which he thinks will help bring this discussion into context.

Steve Bowley, from the public, spoke next. He thinks that people have been coming to Kennebunk because of its antiquity, historic buildings, beaches, etc. Therefore, he looks at the flowers as something to "enhance the downtown a bit." He said that less is sometimes more. Bowley stated that Kennebunk can still be a beautiful Town without spending so much money and added that people will still come to Kennebunk for what it currently offers.

Susan Karytko, from the public, spoke next. She said that she is a gardener and loves flowers and is troubled that the Town spends so much money on flowers without having people looking at how flowers are being put in, and just going with the flow and paying for the expenses associated with the flowers. She said that they need to find ways to still have the flowers but to, simultaneously, bring down the costs.

Bowley also asked if the costs for a truck driver, the truck, etc. are included in this budget. Barry Tibbetts said that the Union driver who drives the truck is not in this budget. There is a cost associated with the truck but it is not in this budget.

Baldwin believes that the flowers are a cause of the Town not agreeing on what type of community they want Kennebunk to be. They will have to decide, as a community, what their vision for Kennebunk is. Karytko agreed. What direction does Kennebunk want to go in? Morin also believes that the central part of such discussions were flowers. He questioned whether or not they should have been discussing this matter earlier. Baldwin said that they have been doing the same thing over and over and wondered when they, as a Board, will figure out what type of community they want Kennebunk to be.

Pardue said that discussions on TIFs and similar topics can possibly be done earlier. He said that the Board should try to decide what kind of community they want Kennebunk to be. By doing such, they can better understand how they can brand Kennebunk.

Karytko asked if they should make this topic an agenda item for another meeting. The Board also discussed which date will be the latest to decide on the expenditures being discussed tonight.

Rachel Phipps, from the public, spoke last. She believes it to be foolish to believe that they can reach a consensus on what type of town Kennebunk should be, citing how large the Town is (there are roughly 12,000 people in Kennebunk). She suggested that maybe they all don't have to agree on what type of community Kennebunk should be, noting the diversity of the Town residents. She also wants to make the

budget process more open to the public. She said that the budget makes known the Town's values and thus she thinks that people should come in to have conversations on the budget.

A motion was made to move this to a second reading.

MOVED: Cluff

SECONDED: Baldwin

MODIFICATIONS: None

VOTE: 6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.

The Chair proceeded to the next item.

- d. Discuss the Selectmen's Outreach Sessions for the First Quarter of 2017– Sessions are generally held on the 3rd Saturday of each month (excluding summer months) on the third floor of the Town Hall from 8:30 a.m. to 10:30 a.m. These informal gatherings are attended by two Selectmen and provide residents with a chance to meet and talk with Selectmen on a one-on-one basis.

Watch our website (www.kennebunkmaine.us/calendars) for any changes in the schedule due to the weather, availability of Selectmen, etc. You can also sign up to receive notifications (reminders) of these events. Sign up for "home page calendar" events on the Town's homepage under "Notify Me."

DISCUSSION:

Rachel Phipps, from the public, spoke. She said that there will be a march in Kennebunk for woman's rights on January 21 as a sister event to the woman's march on Washington. She wondered if the event she described will interfere with the January 21 Selectmen Outreach Session.

It was determined that Selectman Beal and Cluff will attend the January 21 Selectmen Outreach Session. Selectman Karytko and Baldwin will attend the February 18 Selectmen Outreach Session. Finally, Selectman Boothby and Morin will attend the March 18 Selectmen Outreach Session.

The Chair proceeded to the next item.

- e. Discuss Any Other Business

None. The Chair proceeded to the next item.

10. Selectmen's Comments

- a. Subcommittee Reports (if any)

Cluff stated that he signed a lot of paperwork.

- b. Individual Selectmen Comments

Selectman Baldwin:

- None

Selectman Beal:

- Heartwarming when the body of a fallen soldier was escorted through Town and all of the bridges were covered with people from fire and police. She thanked everybody for coming out.

Selectman Boothby:

- Said he was asked about the construction at the high school and more specifically, was asked who pays for the electricity and the blowers at the high school. He stated that he found out that the school pays for the electricity and that they have budgeted for such.

Selectman Karytko:

- Commented on what Beal said above, saying that he drove by the scene described by Beal. He thought it was great. He thinks that such a kind of attitude for one another in the community is what this community is all about.
- Wreaths Across America was great. The elementary school students did very well singing.

Selectman Cluff:

- None

Selectman Morin:

- Said that the Town did very well during the last storm. He appreciates the efforts made by the storm removal crew, noting the long hours that plow truck drivers must work during such storms.
- Wreaths Across America was “moving.”
- Thanked Barry Tibbetts and Michael Pardue. Said that Tibbetts is helping Pardue step into his new role as Town Manager by providing insight, etc.

The Chair proceeded to the next item.

11. Town Manager’s Comments/Notes

a. Upcoming Selectmen's Meetings/Workshops/Sessions:

- **Tuesday, January 17** – Special Joint Meeting with Kennebunk Light & Power District re: Dams will be held at 6:30 p.m. in the Town Hall Auditorium. Watch this meeting at the Town Hall, on digital cable TV channel 5 or online at www.townhallstreams.com.
- **Wednesday, January 18** – York County Commissioners will be meeting to discuss the County's initiative to create a detox and drug treatment center in a County-owned building on Layman Way in Alfred. The meeting will be held at 4:30 p.m. in the EMA training/conference room in the government building at 149 Jordan Springs Road in Alfred.
- **Saturday, January 21** – Selectmen's Outreach Session will be held from 8:30 a.m.-10:30 a.m. on the third floor of the Town Hall.
- **Tuesday, January 24th** – next regular Selectmen's meeting
- **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.

- b. Update on the Mathew J. Lanigan Bridge Project – Construction of the bridge has begun and is expected to be fully completed by Memorial Day, 2017. The new bridge will be wider and will include six-foot sidewalks on both sides. There will also be a cantilevered viewing outlook at the center of the bridge on both sides. The \$2.7 million state project is being done in stages to accommodate the tourism economy of the region. According to the Maine Department of Transportation (MDOT), the schedule is as follows:

- Jan. 4 through March 4, Route 9 traffic over the bridge will be reduced to one lane of alternating traffic.
- March 5 through mid-April accommodates a full closure of the bridge and Route 9 traffic in that vicinity. This period of full closure will allow the contractor to complete the majority of the work at an accelerated pace.
- Mid-April to Memorial Day – The bridge will return to one lane of alternating traffic until the project is completed in late May.

Please note: All construction work is weather-dependent; so, the schedule may change.

To keep up-to-date on this construction project schedule, visit the Town's website at: www.kennebunkmaine.us/laniganbridge where you will find a link to MDOT's website for this project.

- c. Project Updates – The Skate Park, Beach Parking Assessment, and Lower Village Master Plan RFPs have been issued.
- d. Volunteer Zamboni Drivers – If you are interested in volunteering to run the zamboni at the Waterhouse Center this winter, please contact Jeanne at 604-1381.

The Chair proceeded to the next item.

12. Executive Session

None. The Chair proceeded to the next item.

13. Adjournment

A motion was made to adjourn the meeting at approximately 8:44 p.m.

MOVED:	Baldwin
SECONDED:	Karytko
MODIFICATIONS:	None
VOTE:	6 in favor, 0 opposed, 1 absent (Schulte). The motion passed.


Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: 1/24/2017