

TOWN OF KENNEBUNK
BOARD OF SELECTMEN MINUTES

AUGUST 9, 2016 - 6:15 P.M.

SPECIAL MEETING – 6:00 P.M.

Interview the following Candidates for Committees:

Committee on Aging: no current vacancies - The committee was informed of Judith Metcalf's interest in joining the committee and felt that with her medical experience in geriatrics, she would be a good addition to the committee.

- Judith Metcalf

Conservation & Open Space Planning Commission: Vacancies: (1) Reg. 2017, (1) Reg. 2019, (2) Alt. 2017

- Todd Bridgeo

Comprehensive Plan & Zoning Ordinance Update Committee: no current vacancies, although the committee would like to add two student representatives.

- Joseph E. Bergeon (KHS student, resident of Kennebunk)
- Kyle Ryan (KHS student, resident of Kennebunkport)

RSU 21 Cost-Sharing Amendment Committee: To represent Kennebunk, we are appointing (1) RSU 21 Director from Kennebunk and (2) At-Large members from Kennebunk – this new committee is being discussed in further detail later in the agenda

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|-----------------------------|--|
| • Michael Mosher | Director Member (1 Director vacancy) |
| • Richard Smith | At-Large Member (2 At-Large vacancies) |
| • Lionel Menard | At-Large Member (2 At-Large vacancies) |
| • Gayle Asmussen Spofford * | At-Large Member (2 At-Large vacancies) |

* Gayle Asmussen Spofford's Committee Volunteer Form was received 8/8/16 (after agenda was posted)

DISCUSSION:

The candidates spoke as to why they wanted to be on various committees.

These three appointments will be taken up later in the agenda.

1. REGULAR MEETING – 6:30 P.M.

On August 9, 2016, at 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, Christopher Cluff, Shiloh Schulte and Deborah Beal.

Also in attendance was Town Manager, Barry Tibbetts, and Finance Director, Joel Downs.

The Chair proceeded to the next item.

2. MINUTES

- a. July 12, 2016 Regular Meeting

DISCUSSION:

Baldwin said that he said (at the July 12 Board Meeting) that his mistakes were “of ignorance and negligent lack of initiative” but that he never said that he was, “Negligent,” as the Minutes from the July 12, 2016 Board of Selectmen Meeting states. This change should be made.

Baldwin also gave a shout out to Nancy Galloway (as he put on the Festival Committee cap that they are thinking of using).

There were no public comments.

A motion was made to approve the July 12, 2016 Regular Meeting Minutes.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: Change the wordage of Baldwin’s comments.
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

3. ITEMS TO BE SIGNED

None.

The Chair proceeded to the next item.

4. PUBLIC HEARING(S)

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

**Sarlo Enterprises, LLC d/b/a Aroma Joe’s
NEW Victualer License Application
Located at 76 Portland Road**

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

Fire Department/Codes Office: Due to the renovations currently underway, the facility is not ready for a Fire & Life Safety Inspection. The Fire Chief’s recommendation is to issue the licenses and hold until the following have occurred: Code Enforcement Officer’s final inspection and Occupancy Permit issuance, and Fire Department’s Fire & Life Safety Inspection.

Police Department: new license – nothing to report from police

DISCUSSION:

Karytko asked if the Town Engineer has to sign off on anything and Tibbetts responded that the Town Engineer does not; only the Code Officer and Fire Chief need to sign. Karytko also expressed concern about water intrusion in the area.

There were no public comments.

A motion was made to approve the new Victualer License Application for Sarlo Enterprises, LLC d/b/a Aroma Joe’s, contingent upon final inspections by the Code Office and Fire Department and the issuance of the Certificate of Occupancy Permit.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

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

A Proposed Amendment to Zoning Article 10, Section 18 regarding Keeping of Horses

A copy of the proposed amendment is on file and may be reviewed in the Town Planner's and the Town Clerk's Office.

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

The changes to Zoning Article 10, Section 18 (Keeping of Horses) would require a Town Meeting vote.

DISCUSSION:

Karytko asked Tibbetts what the intent was in changing the Ordinance.

Schulte said that he believes the reason for the change is so that there does not have to be a limit on the number of horses as long as people have enough room for additional horses. Tibbetts said that Schulte was correct. There are limits on the number of horses one can have in a residential zone but not in a rural zone (as long as people in a rural zone meet the space requirements needed in order to add horses onto their property).

There were no public comments.

A motion was made to send the proposed changes to the Kennebunk Zoning Ordinance - Article 10, Section 18 to the Special Town Meeting on November 8, 2016.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

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

To hear public comment regarding the Proposed Amendment to Zoning Article 8, Sections 3, 4 and 7, regarding number of rental rooms permitted in B&B's in the Village Residential, Rural Conservation and Rural Residential Zoning Districts and Article 10, Sections 9 and 17 regarding the performance standards applicable to such Lodging uses.

A copy of the proposed amendment is on file and may be reviewed in the Town Planner's and the Town Clerk's Office.

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

The changes to Zoning Article 8, Sections 3, 4 and 7 (number of rental rooms permitted in B&B's in the Village Residential, Rural Conservation and Rural Residential Zoning Districts) and Article 10, Sections 9 and 17 (performance standards applicable to such Lodging uses) would require a Town Meeting vote.

DISCUSSION:

Morin got confirmation from Tibbetts that the Planning Board met last night and didn't have any issues with this matter.

Cluff asked if this will come back to them next year because they excluded another zone and Tibbetts said that he was unsure but assumed that the Planning Board looked at the zones that were most appropriate for the change.

Schulte asked what zone was approved at the June town meeting and he was told that it was the Suburban/Residential zone. He wondered if parking noise has been deemed an issue by the Planning Board or others and he was told by Tibbetts that it has not.

Karytko asked which zones were left out.

Paul Demers, The Code Enforcement Officer, responded to Karytko's question.

Schulte thinks that this should be extended to all zones and wondered why it has to sound or be so complicated.

Demers said that some zones would not have rooms rented.

Cluff said that he does not want to be here next year because they forgot about a zone.

Morin asked if Cluff was saying that the wording should be changed to be inclusive and Cluff said that he is content with the wording if they feel that the wording is inclusive.

Schulte is okay with the wording too as long as it includes everything that will potentially come forward.

Demers said that everything will be reviewed anyway.

Baldwin thinks that this matter will come back. He thinks that the Historic Preservation Committee will have a say on the topic. He also said that Bed and Breakfast places usually need 8 rooms. He thinks that the number of rooms in a Bed and Breakfast place will go from 4 to 6 and then to 8 to make them, "Saleable," to quote Baldwin.

Gayle Spofford, from the public, spoke. She asked if a Bed and Breakfast would have to be sprinkled if they had an accessory apartment with cooking facilities and wanted to rent out the maximum amount of rooms.

Paul Demers said that the State has enacted International Building Codes. If you have 3 or more, unrelated people by blood or marriage, living or sleeping in your home for a fee, it constitutes a Bed and Breakfast that must be reviewed by the State. He said that the whole building would have to be sprinkled for four or more people.

Spofford asked if a Bed and Breakfast in the Historic Overlay District that wants an "Outside egress" will have to get a certificate of Appropriateness; Demers said that they would have to. Spofford also inquired about sign sizes. In other words, will some people be able to have a larger sign because of where they are located? Demers said that it depends on where a business is located. For example, one can have a larger sign in the Lower Village than in Suburban/Residential.

A motion was made to send the proposed changes to the Kennebunk Zoning Ordinance – Article 8, Sections 3, 4 and 7 and Article 10, Sections 9 and 17 to the Special Town Meeting on November 8, 2016.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

5. PUBLIC COMMENTS

Merton Brown, Town Clerk, got a letter from the Secretary of State's office which said that the fluoride supporters, who had been collecting petitions, gave their petitions to the Secretary of State's office because it included 7 towns (the complete towns of Kennebunk, Kennebunkport, Wells, Arundel and Ogunquit and parts of York and Biddeford). They needed 3,063 signatures and they got 3,249. Therefore, a question on the removal of fluoride from the water system will be on the November ballot.

Karytko asked Merton if this will add any additional costs to the Town. Merton said that they pay for the ballot but not for the actual, "Content," to use his words, of the ballot.

Beal said that she first learned about this by reading a flashing sign. She wondered if there is any other way that they are getting the word out about this topic. She mentioned that there is a fluoride forum this Friday night at 7 P.M. at the Kennebunk Town hall.

The Chair proceeded to the next item.

6. ACKNOWLEDGEMENTS/ANNOUNCEMENTS

None.

The Chair proceeded to the next item.

7. TIME SENSITIVE BUSINESS

- a. Set the Tax Rate for 2016-2017 – The Assessor, Dan Robinson, has completed the valuation updates and is preparing to finalize the mil rate. Dan will be providing the three choices for the tax rate at the meeting.

DISCUSSION:

Dan Robinson, the Assessor, spoke in regard to the Tax Rate. The 3 proposed rates (Mill Rates) were \$15.90 with an overlay of \$386,603, \$15.95 with an overlay of \$487,493 and \$16.00 with an overlay of \$588,385.

Karytko mentioned that when Joel Downs, the Finance Director, was asked what he could work with, he said that he can work with pretty much anything he is told. Karytko then asked Joel Downs if such is still his answer as to what he can work with. Downs essentially said that they all have already gone over the numbers. Karytko asked if there were any problems with them accepting the lower overlay from last year and Downs said that issuing bonds helps a lot (they did this). They had a cash flow that was fine.

Gayle Spofford spoke again, asking about road work on Summer Street, wondering when repairs will be made. She also wondered if anything done with the Mill Rate will have an impact on the project that she was referring to (the repairs on Summer Street).

Tibbetts said that it should be addressed in the years of 2017-2018 or 2018-2019, depending on when the Maine DOT MPI program is available. Tibbetts believes that it will most likely be in 2018-2019.

A motion was made to set the Tax Rate for 2016-2017 at \$15.90.

MOVED: Karytko
SECONDED: Boothby
MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

b. Set Tax Due Dates and Interest Rates – The proposed property tax due dates for the coming year should be October 7, 2016 and April 7, 2017. The maximum allowed interest rate by state law for overdue tax balances for the coming year is 7%. Last year, we set the rate at the maximum.

DISCUSSION:

Cluff asked if there was significance to the dates listed above. Downs said that they were both on the first Friday of the months stated above (October and April).

Karytko mentioned that they have been keeping the rate at 7% for the past 7 years or so. Cluff said that 7% is the State maximum and they usually go with the State maximum.

Karytko also said that they have gone below 7% before.

There were no public comments.

A motion was made to set the Tax Due Dates for October 7, 2016 and April 7, 2017 with the interest rate on overdue tax balances at 7%.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

c. Discuss Awarding the Following Bids: For each of the following bids, the specifications and bid opening sheets are included in the packet, under a separate file, due to the size.

1. Fire – Sale of One (Used) Boat Trailer – The Town received two bids for the sale of the Fire Department's used boat trailer.

- John Costin & Rachel Phipps \$150.00
Kennebunk, ME
- Turnbuckle Youth Program \$150.00
A 501c3 Educational non-profit
Old Orchard Beach, ME

Both bids were for \$150.00. One bid was from a Kennebunk couple while the other was submitted by a Youth Program from OOB. How would the Board like to proceed?

DISCUSSION:

None.

There were no public comments.

A motion was made to award the bid for the used boat trailer to Turnbuckle Youth Program for \$150.

MOVED: Cluff
SECONDED: Schulte

MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

2. Police – One (New) 2017 Ford Explorer Police Package Vehicle - We received one bid for the purchase of one 2017 Ford Explorer Police Utility Vehicle.

- Arundel Ford, Arundel, ME \$28,108.00

We have budgeted \$36,000 for this purchase. The Police Chief is recommending the bid of Arundel Ford at a price of \$28,108.00.

DISCUSSION:

Karytko asked what a Police package vehicle is. Tibbetts said that it usually includes many extra features such as a large radiator, a better suspension system, etc.

There were no public comments.

A motion was made to award the 2017 Ford Explorer Police Package Vehicle bid to Arundel Ford at the price of \$28,108.00.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

3. Police – One (Used) 2014, 2015 or 2016 Program Vehicle (SUV) - We received the following bids for the purchase of one 2014, 2015 or 2016 Police Program Vehicle:

Quirk Chevrolet, 100 Brighten Ave., Portland, ME

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|----------------------------|--------------|----------|
| 1. 2016 Chevrolet Traverse | 6,731 miles | \$37,283 |
| 2. 2015 Chevrolet Traverse | 20,727 miles | \$31,283 |
| 3. 2015 Chevrolet Traverse | 28,291 miles | \$26,838 |

Portsmouth Ford Used Car Center, 180 Mirona Rd, Portsmouth, NH

- | | | |
|-----------------------|--------------|----------|
| 1. 2016 Ford Explorer | 11,715 miles | \$35,030 |
|-----------------------|--------------|----------|

Starkey Ford, Inc., P.O. Box 37, York, ME

- | | | |
|-------------------------------|--------------|----------|
| 1. 2013 Ford Edge SEL | 18,563 miles | \$23,995 |
| 2. 2013 Ford Explorer Limited | 21,370 miles | \$29,335 |

Weirs Motor Sales, 1513 Portland Road, Arundel, ME

- | | | |
|--------------------|--------------|----------|
| 1. 2014 GMC Acadia | 14,058 miles | \$24,900 |
|--------------------|--------------|----------|

Arundel Ford, 1561 Portland Road, Arundel, ME

- | | | |
|-----------------------|--------------|----------|
| 1. 2014 Ford Edge SEL | 36,018 miles | \$23,800 |
| 2. 2013 Ford Edge SEL | 39,826 miles | \$22,500 |

The Police Chief recommends awarding the bid for the 2013 Ford Edge SEL to Starkey Ford Inc., at a price of \$23,995.

DISCUSSION:

Schulte asked for the amount budgeted for this item.

Tibbetts said that they budgeted \$27,000 for this item.

Boothby wondered why they didn't want to buy these cars from a more local place.

Police Chief, Mackenzie, answered Boothby's question. He said that they simply went with the one that will be the best for them.

Karytko asked if these vehicles were police ready or not.

Mackenzie answered Karytko by saying that these are not but that the vehicle they want to get is for the detective.

Beal said she is not happy with the choice of getting a 2013 vehicle instead of a newer one.

Mackenzie said that he believes the book value for the 2013 Ford Edge SEL is either \$25,000 or \$26,000 (they are going to bid \$23,995 for the vehicle).

Beal does not agree with the purchase.

Morin wondered if there is a benefit to staying with Ford products.

Mackenzie responded to Morin, saying that he believes so and that he is not ready to, "Go toward Chevy," to use his words, as he believes that their reliability is not as good as Ford's.

Karytko mentioned that it is difficult because the Selectmen get to second guess the numbers and mileage, etc. and they have not even checked out the vehicles. He does, however, understand Beal's point.

Beal said that it is a big jump to go from detective cars to detective SUV's. Mackenzie said that the main reason for a bigger car is for various equipment. He was asked how long these vehicles can be kept for. Mackenzie said that they generally keep them for at least 6 years as they receive less wear and tear than their patrol cars.

There were no public comments.

A motion was made to award the bid to Starkey Ford Inc. for the 2013 Ford Edge SEL at the price of \$23,995.

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 5 in favor, 2 opposed (Beal and Boothby). The motion passed.

The Chair proceeded to the next item.

- 4. Public Services – One (New) 2016 or 2017 24 Inch Coldplaner-Asphalt Grinder - We received eight bids for this purchase. They ranged from \$15,450.00 to \$21,799.00 (with the exception of one bid that came in at \$62,990.00 from a vendor in Utah!).**

Company	Bids
1. Milton Cat	Base Bid (per vehicle): \$15,450.00
Scarborough, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Erskin Attachments CP24 Teeth: \$18.16 ea. uses 60 teeth	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
2. Milton Cat	Base Bid (per vehicle): \$21,799.00
Scarborough, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Caterpillar PC306B Teeth: \$6.35 ea. uses 60 teeth Teeth: \$6.70 ea. uses 60 teeth	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
3. HP Fairfield	Base Bid (per vehicle): \$18,950.00
Scarborough, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: 2017 Bradco HP600 Teeth: \$488 for 47 teeth	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
4. Beauregard	Base Bid (per vehicle): \$18,845.00
Scarborough, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Case HP24 Teeth:	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
5. Chadwick-Baross	Base Bid (per vehicle): \$21,124.00
Westbrook, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Bradco HP600 Teeth: extra teeth/bits \$1,112.00 Control handle kit: \$1,202.00	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
6. Asphalt Zipper	Base Bid (per vehicle): \$62,990.00
American Fork, UT	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Asphalt Zipper A2-200 Teeth:	Add Alt. 1 (extended warranty) \$7,200.00 extended coverage available
7. Ambrose Equip. Co.,	Base Bid (per vehicle): \$20,600.00
Plainville, MA	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Bradco HP600 Teeth:	Add Alt. 1 (extended warranty) \$0.00 extended coverage available
8. MB Tractor & Equip.	Base Bid (per vehicle): \$15,575.00
Eliot, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Road Hog CP24G5 Teeth:	Add Alt. 1 (extended warranty) \$3,500.00 extended coverage available

We have budgeted \$30,000 for this purchase. The Director of Public Services is recommending the bid from MB Tractor & Equip. for the Road Hog CP24G5 at a price of \$15,575.00, without the extended warranty.

DISCUSSION:

Schulte asked about the equipment and Tibbetts said that it is brand new and staff has reviewed it and deemed it to give them the best outcome.

Karytko asked if they were going to get a 1 year extended warranty. Eric Labelle, the Director of Public Services, said that there is no warranty for the vehicle.

Karytko asked Labelle if he is, "Comfortable," to quote Karytko, with the place that they plan on getting the vehicle from and Labelle said that he is.

There were no public comments.

A motion was made to award the 24 Inch Coldplaner-Asphalt Grinder bid to MB Tractor & Equip. for the Road Hog CP24G5 at the price of \$15,575.00.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

5. Public Services – One (New) 2016 or 2017 Road Shouldering Machine - We received one bid for this purchase:

Company	Bids	
Ambrose Equip. Co.	Base Bid (per vehicle):	\$34,000.00
Plainville, MA	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Road Widener FH Model-R/H	Add Alt. 1 (extended warranty)	\$0.00
	extended coverage available	

We have budgeted \$35,000 for this purchase. The Director of Public Services is recommending the bid from Ambrose Equip. Co. for the Road Widener FH Model-R/H at a price of \$34,000.00.

DISCUSSION:

Morin got confirmation that this is the equipment that was discussed a year ago, finally coming to the forefront.

Karytko asked when it is believed that they will receive this equipment. It usually takes about 6 to 8 weeks, said Tibbetts. Eric Labelle said that they tried to arrange to get it within 60 days but some of the equipment has to be built. So, it can take over 9 months or so.

There were no public comments.

A motion was made to award the Road Shouldering Machine bid to Ambrose Equip. Co. for the Road Widener FH Model-R/H at the price of \$34,000.00.

MOVED: Cluff
SECONDED: Karytko
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

6. Public Services – One (New) 2016 or 2017 Single Axle Dump Truck - We received eight bids for this purchase, which ranged from \$162,170.00 to \$170,089.00.

Company	Bids	
1. O'Connor Motor Co.	Base Bid (per vehicle):	\$170,089.00
Portland, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Western Star 4700 SF	Add Alt. 1 (extended warranty)	\$7,018.00
Body Manufacturer: Everest		

2. O'Connor Motor Co.	Base Bid (per vehicle):	\$167,450.00
Portland, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Western Star 4700 SF	Add Alt. 1 (extended warranty)	\$7,018.00
Body Manufacturer: Viking Cleaves		
3. Portland North	Base Bid (per vehicle):	\$169,864.00
Falmouth, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Int'l 7400 SFA 4x2	Add Alt. 1 (extended warranty)	\$5,200.00
Body Manufacturer: Everest SDS 10' SS		
4. Portland North	Base Bid (per vehicle):	\$167,215.00
Falmouth, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Int'l 7400 SFA 4x2	Add Alt. 1 (extended warranty)	\$5,200.00
Body Manufacturer: Viking Proline PL1011SD SS		
5. Freightliner of Me.	Base Bid (per vehicle):	\$169,313.00
Westbrook, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Western Star 4700	Add Alt. 1 (extended warranty)	\$4,458.00
Body Manufacturer: Everest SS10		
6. Freightliner of Me.	Base Bid (per vehicle):	\$166,674.00
Westbrook, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Western Star 4700	Add Alt. 1 (extended warranty)	\$4,458.00
Body Manufacturer: Viking Cleaves SS		
7. Freightliner of Me.	Base Bid (per vehicle):	\$164,809.00
Westbrook, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Freightliner 108SD	Add Alt. 1 (extended warranty)	\$4,901.00
Body Manufacturer: Everest SDS 10' SS		
8. Freightliner of Me.	Base Bid (per vehicle):	\$162,170.00
Westbrook, ME	Deduct Alt. 1 (allowance for trade-in)	n/a
Make/Model: Freightliner 108SD	Add Alt. 1 (extended warranty)	\$4,901.00
Body Manufacturer: Viking Cleaves PL1011 SS		

We have budgeted \$170,000 for this purchase. The Director of Public Services is recommending the bid from Freightliner of Me. for the Viking Cleaves SS Western Star 4700, with no extended warranty, at a price of \$166,674.00.

DISCUSSION:

Karytko noted that on two vehicles they are not getting an extended warranty and asked if everyone is okay with this.

Tibbetts said that they are. It doesn't seem worth the money to get an extended warranty because it is a brand new vehicle. Tibbetts also said that the truck they are replacing is from 1999 (they have gotten good life out of their equipment).

There were no public comments.

A motion was made to award the Single Axle Dump Truck to Freightliner of Me. for the Viking Cleaves SS Western Star 4700 at the price of \$166,674.00.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

7. Public Services/Recreation – One (New) 2016 or 2017 (14) Passenger Van - We received the following bids for this purchase:

Company	Bids
W.C. Cressey & Son, Inc.	Base Bid (per vehicle): \$52,000.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Express or Savannah	
Body Manufacturer: GM 33803	Add Alt. 1 (extended warranty) \$1,500.00-\$2,000.00 depends on coverage
W.C. Cressey & Son, Inc.	Base Bid (per vehicle): \$54,176.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Express or Savannah	Add Alt. 1 (extended warranty)\$1,500.00-\$2,000.00
Body Manufacturer: GM 33803	depends on coverage

We have budgeted \$48,000 for this purchase. The Director of Public Services is recommending the bid from W.C. Cressey & Son, Inc. at a price of \$54,176.00, without the extended warranty. The bid for \$52,000.00 did not meet our bid specifications.

DISCUSSION:

Tibbetts explained that they looked at the Capital Expenditure Budget prior to this meeting and they have a balance of \$3,741.

Morin wondered why the prices on trucks changed heavily. Eric Labelle said that they made modifications to the specs which may have affected the price.

There were no public comments.

A motion was made to award the (14) Passenger Van bid to W.C. Cressey & Son, Inc. at the price of \$54,176.00 with the difference of the budgeted amount and the awarded price amount coming from the truck and bus reserve.

MOVED: Karytko
SECONDED: Cluff
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

8. Public Services/Recreation – One (New) 2016 or 2017 Travel Bus - We received the following bids for this purchase:

Company	Bids
W.C. Cressey & Son, Inc.	Base Bid (per vehicle): \$95,287.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Body Manufacturer: Freightliner Chassis, Thomas Body	Add Alt. 1 (extended warranty) \$2,550.00-\$3,600.00 depends on coverage
W.C. Cressey & Son, Inc.	Base Bid (per vehicle): \$107,717.00
Kennebunk, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Body Manufacturer: Freightliner Chassis, Thomas Body	Add Alt. 1 (extended warranty) \$2,550.00-\$3,600.00 depends on coverage
O'Connor GMC	Base Bid (per vehicle): \$97,582.00
Portland, ME	Deduct Alt. 1 (allowance for trade-in) n/a
Make/Model: Chevrolet 3500HD, CK36003	Add Alt. 1 (extended warranty) \$0
Body Manufacturer: Blue Bird BBCV 3310	

The first bid from W.C. Cressey & Son, Inc. for \$95,287.00 did not meet our bid specifications.

We have budgeted \$88,000 for this purchase. The Director of Public Services is recommending the bid from O'Connor GMC for the Chevrolet 3500HD at a price of \$97,582.00.

MOTION: To award the Travel Bus bid to O'Connor GMC for the Chevrolet 3500HD at a price of \$97,582.00.

DISCUSSION:

Tibbetts said that they want more time to review this bid because of different things such as specs, etc. and suggested postponing the bid award until September 13th.

There were no public comments.

A motion was made to table this bid award until the September 13th meeting.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

8. OLD BUSINESS (2ND READING)

- a. York County Public Works Mutual Aid Agreement –This mutual aid agreement allows Towns within York County to share equipment/resources during emergencies as well as non-emergencies. The agreement defines the role of the participating communities.

DISCUSSION:

None.

There were no public comments.

A motion was made to approve the York County Public Works Mutual Aid Agreement.

MOVED: Cluff

SECONDED: Karytko

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

b. Discuss a Violation in the Resource Protection and Shoreland Overlay Districts on Great Hill Road – As you are aware, the Town’s Code Enforcement Officer issued a Notice of Violation for the cutting of vegetation on land adjacent to “Strawberry Island” that was cut during the late winter/early spring of this year (violation observed on February 23, 2016). Properties involved were owned by Kennebunk Land Trust (KLT) Tax Map 97, Lot 37 and Kennebunk Beach Improvement Association (KBIA) Tax Map 97, Lot 38.

This item is being forwarded to the Board of Selectmen for options on how to proceed with enforcement action as a result of this violation. This land use violation can be remedied as an administrative action (consent agreement) or under the Maine Rules of Civil Procedure as an 80K Land Use violation, whereby the Town would attempt to have the violation and resulting enforcement action adjudicated at the District Court level. It has not been the practice of the Town to rush to court and the Town Attorney has often suggested the Town seek to remedy land use violations as an administrative matter, rather than rely on the Court system.

Town Staff has met with representatives from KLT and KBIA. Should the Board consider imposing a fine, perhaps the fine could be applied to the Open Space Fund account, for future land preservation.

Paul Demers will be available at the meeting to answer any questions the Board may have.

DISCUSSION:

Tibbetts said that the Town Attorney fees were \$957.50. The Town Attorney did not want to change the wording of the current consent agreement. Tibbetts also said the KLT has been very cooperative and asked what the Board wanted to do.

Boothby said that there is no mention of cutting on private property and it annoyed him (and Beal noted that this was the second time that this occurred).

Schulte said that this makes KLT reimburse KBIA for legal fees.

Beal feels like there is no real penalty for KLT.

Boothby said that he would be very mad if it was his property being trespassed on and Beal agreed.

Karytko said that others have done the same thing and have been fined. Therefore, he thinks that not fining them leaves a bad precedent. He thinks that there must be a fine.

Baldwin said that he believes that they struggle with the range of fines (they somewhat make it up on the spot). He mentioned criminal law, saying that they have sentencing guidelines that are applicable to various crimes. He believes that there must be some guidelines in place that will help them fine people for bad behavior.

Tibbetts said if they imposed a fine they should set it aside for future land purchases for open space and conservation. He went over the numbers, stating that the money for the property restoration is estimated at \$10,554 and survey expenses are \$2,200. The out of pocket money is for the legal fees, the KBIA, the Town of Kennebunk and the survey cost.

Paul Demers said that the legal fees for the KBIA Attorney were \$2,287.50.

Arlene Poisson, from the public, spoke. She asked what the Maine Department of Environmental Protection thought about the matter, knowing that they have jurisdiction over the Shore Land Protection Zone (where the violation took place).

Demers answered Poisson, saying that the Maine Department of Environmental Protection has been working independently with the KLT. He said that there was a citation to them to communicate. Demers said that they have been communicating.

Poisson said that the Town received a fine from the Maine Department of Environmental Protection for similar activity in the same area. She wondered if they were communicating with the Town about it. She said that she agreed with the Selectmen who talked about imposing fines, noting that private landowners receive fines for this same type of violation. She wants a fine to be imposed.

Steve Bowley, from the public, wondered if they included the time for Paul Demers.

Tom Wellman, from the Kennebunk Land Trust, spoke. He said that they wanted to publicly apologize (and did at this meeting) to the Town and to KBIA for what happened.. However, he wanted to make it known that the purpose for pruning the plants was for the health of the plants and that they did not dig it up (he said he has pictures to prove this). They plan to leave the area alone to allow the plants to continue to grow. He was aware of the point of a fine: they did not contact the neighbor and did not follow the rules of the Town. But, he emphasized that the property is in great condition right now and has not been harmed by any actions that they took.

Karytko agreed with Tom Wellman, stating that the property looks fine. However, Karytko said that the Board is trying to be fair to everyone in Town.

Beal asked Wellman if the area being cut so far down serves as a type of, "Erosion barrier". She wondered what would happen to the area if they had a flood, etc.

Wellman said that the roots were still in the soil (ready to protect against bad weather). He even said that there are most likely more roots there now because of the pruning done.

A motion was made to approve the consent agreement with a fine of \$500 plus Attorney's fees with the restoration funds to be held by the Town for 2 years with the \$500 to be applied to the Open Space Funds Account for future land preservation.

MOVED: Cluff

SECONDED: Schulte

MODIFICATIONS: None

VOTE: 6 in favor, 1 opposed (Karytko). The motion passed.

The Chair proceeded to the next item.

9. NEW BUSINESS (1ST READING)

- a. Discuss a Citizen Petition Regarding the Dams for three Non-Binding Questions to be Included on the Referendum Ballot for the 11-08-2016 General Election – Attached is the petition that was received this week. The Town Clerk has verified 450 signatures, which exceeds the required number of 422. The Charter requires the number of signatures to meet or exceed 7% of those that voted in the last gubernatorial election. With the required signatures having been met, the question qualifies to be on the November Town Meeting warrant. The questions would be on the warrant as written on the petition (changes to the questions are not permissible):

“Do you favor the Kennebunk Light and Power District continuing to invest in hydropower generation facilities along the Mousam River?”

“Do you want the opportunity to vote on any, and/or all of the following questions before the Trustees of the Kennebunk Light and Power District make a final decision on them: whether the Dane Perkins Dam, Twine Mill Dam, and/or Kesslen Dam should continue to generate hydropower, remain in place, and/or be removed?”

“Do you favor the Town of Kennebunk maintaining and improving the existing conditions along the Mousam River, in particular, mill pond areas and water levels sufficient to allow the continuation of existing recreational activities, by keeping the Dane Perkins, Twin Mill, and Kesslen Dams in place, whether or not said dams continue to generate hydropower?”

DISCUSSION:

Town Clerk, Merton Brown, talked about the questions on the citizen petition. The first question (from the questions stated above, going from top to bottom) received 800 signatures and 450 of them were verified and they needed 422. The second question received 894 signatures and 450 of them were validated. The third question received 953 signatures and 450 of them were verified.

Morin received confirmation that they are obligated to move this. Merton said that they were (under Charter).

Karytko said that he remembers that the Board denied putting something like this forward and said that he never wants to let that happen again.

Robert Georgitis, from the public, spoke. He is on the committee for, “Save the Mousam.” The group was created in the past year in response to the KLP. He said that they collected 2,600 signatures in only two weeks. He is not sure that there needs to be a public hearing but they will be prepared to present at one if it is deemed necessary.

Cluff wondered if there were any additional questions that they wanted to add regarding this topic pertaining to information that they may want from their point of view.

Beal said that she would have, “attached a price tag to them”.. She also noted that they can’t change the questions.

Cluff said that they can’t change the questions but that they can add questions.

Karytko talked about the expenses that the taxpayers will have to pay for any of these questions. But, to figure out such expenses would be nearly impossible before September 13th.

Schulte believes that the answers to these questions (especially the 3rd question) will change dramatically depending on the costs.

Beal said that she brought up the money aspect of all of this because she doesn't want people to vote without having all of the information (such as information about costs).

Tom Murphy, from the public, spoke. He said that it is great when citizens have the constitutional right to petition. He said that there was a straw ballot on a skateboard park which was accepted by a strong majority, but noted that he has not seen much movement on the implementation of a skateboard park. He went over the questions to be presented and noted frustration. He mentioned that a lot of people are very pleased that they have a chance to vote on these questions. He also said that it has been tough to get the attention of the Trustees. He said that an online poll or petition was ignored. Signs were ignored too.

Donna Teague, from the public and apart of, "Save the Mousam," spoke. She said that she wrote a note to the Trustees and she read it aloud to the Selectmen tonight. It essentially listed things that she and her group initiated. It also notes the support that they have. She wants the Board of Selectmen to send a letter to KLPD (Kennebunk Light and Power District) that says to table a formal filing of a NOI until the people have been able to vote in November and until the community is well-educated on the matter.

Bill Pasquill, from the public, spoke. Morin said that he was to be the last one to speak as he did not want the evening to be completely spent talking about the dams. Pasquill completely agreed with Morin. He said that there are indeed a lot of issues to be discussed. But, he said that attacking people who have different opinions does not help.

A motion was made to send these questions as written on the citizen petition to the November 8, 2016 Town Meeting warrant.

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

The Chair proceeded to the next item.

- b. Discuss a Possible Consumer Fireworks Ordinance – The Police Department has provided a list of the surrounding communities that have complete fireworks bans (4), partial fireworks bans (5), and no fireworks ordinance (13). They have also included a graph depicting the complaints received since 2012. Fire Chief Jeff Rowe indicated they have not logged any fireworks-related injuries from 2000 to the present time.

If the Town wishes to restrict fireworks, this would need to be accomplished with a local ordinance, which would require a Town vote. Police Chief MacKenzie and Fire Chief Rowe will be available to answer any questions the Board may have.

Also included in the packet is the State of Maine's "General Guide to Consumer Fireworks Use", which provides the guidelines (per Maine Public Law Chapter 416) to communities that have no ordinance restricting or prohibiting the use of consumer fireworks in their community.

This item was introduced at the last meeting by Selectmen Schulte and Morin.

How would the Board like to proceed?

DISCUSSION:

Schulte wanted to hear from the Fire and Police Chief regarding the concept of an ordinance and how effective they think it would be.

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Police Chief Mackenzie cited a graph that the Selectmen have that depicts fireworks complaints back to 2012. He said that the number of complaints have gone down every year. He was glad to see such. 2012 was the year that fireworks were allowed to be used and possessed. He could not obtain the data for fireworks complaints before 2012 due to the way that it was arranged in their system (it was only listed as a noise complaint, thus going through every single noise complaint to find one that was specifically a complaint regarding fireworks would take an extremely long time). He is not sure how much an Ordinance on fireworks will help.

Schulte said that he stopped making complaints about fireworks because he knew that nothing could really be done about it.

Baldwin agrees with Schulte. He said that the public knows that nothing can be done.

Mackenzie said that even when fireworks were illegal they would often get to a place and fireworks were no longer going off or people would say that they had no idea where the fireworks were coming from (even if they were the ones setting them off). Thus, the police could do nothing about it then either.

Cluff pondered whether or not an Ordinance, which would take time and energy to create, will have any positive impact at all.

Mackenzie also said that an Ordinance may make people expect the police to, "Fix it," to reference his words.

Schulte wondered about the situation in Kennebunkport, noting that they have an Ordinance against fireworks. He feels as though he hears a lot of people who don't want to hear or be annoyed by fireworks and he wouldn't mind letting the people vote on the matter.

Baldwin again agreed with Schulte, adding that many people complain that their dogs go crazy when they hear fireworks.

Morin said that he understands that an Ordinance may not be able to be completely enforceable but added that it may at least subdue some of the abuses.

Mackenzie said that it may make sense to coordinate a fire class day with the Fire Department if an Ordinance is enacted.

Beal does not want to create an Ordinance. She thinks that there are few complaints, no injuries and that people are using them responsibly. She is, "In favor of education and enforcement". She said that it does bother her that the Dog Committee has to fill up bags of fireworks residue on the beach because fireworks usage should only be on one's own property. She went on to say that she would be all for a sign at the beach that says that fireworks are prohibited at the beach (or at other Town-owned areas). She feels as though an Ordinance on fireworks cannot be enforceable.

Schulte said that having a sign is similar to having an Ordinance. He said fireworks can annoy a lot of people in the area that fireworks are being set off.

Boothby is a liaison to the Dog Committee and, though the Committee has not voted on it, they are overwhelmingly in favor of some kind of Ordinance on fireworks.

Cluff said that the Parks Ordinance includes the beaches and in this particular Ordinance fireworks are stated to be illegal in parks and on beaches.

Karytko said that many people from out of state (tourists, family members, etc.) come to Maine on vacation. He noted that a lot of these people don't know a thing about safety in regard to using fireworks.

Cluff said that most fireworks are used around the 4th of July so prohibiting them around the holidays seems weird. He feels like it is an, "All or nothing," to use his words, situation in regard to putting an Ordinance on fireworks in place.

Fire Chief Rowe spoke. He reiterated what Mackenzie said, saying that an Ordinance on fireworks is tough to enforce. He said that in this community there are not too many injuries and even said that throughout his career he has seen more injuries ensued on people lighting fireworks professionally as opposed to some random person. He went on to say that unsafe usage of fireworks could be prevented.

Schulte said that it is most likely a matter of time before there are injuries but Rowe said that an Ordinance would not really help prevent such.

Morin didn't think that this is about safety but rather about annoyance.

Merton Brown, the Town Clerk, said that people really are trained not to complain because they know that nothing can be done, adding that he has received so many calls where the first question one on the other line asks is, "Is there an Ordinance on fireworks?"

Schulte thinks that an Ordinance should be made and given to the public to vote on.

There were no public comments.

A motion was made to refer this issue to the Ordinance Sub Committee.

MOVED: Schulte

SECONDED: Baldwin

MODIFICATIONS: None

VOTE: 5 in favor, 2 opposed (Cluff and Beal). The motion passed.

The Chair proceeded to the next item.

- c. Discuss RSU 21 Cost-Sharing Agreement – The cost-sharing agreement between Arundel, Kennebunk and Kennebunkport approved in 2012, called for a 5-year and a 10-year review from inception. This is the fifth year (FY2016-17) and falls within the parameters for a meeting to discuss the agreement.

The Town needs to appoint three members for this review; one Kennebunk School Board member and two At-Large residents.

The Committee will be meeting on August 10th at 6:00 p.m. and August 17th at 6:00 p.m. If a third meeting were needed, that would be held on August 24th at 6:00 p.m. Meetings are open to the public and will be held at the Kennebunk Elementary School in Room A102.

As indicated during the Special Meeting at the beginning of this meeting, Michael Mosher has offered to represent the Town as the School Board member and Richard Smith and Lionel Menard have expressed interest in serving as the two At-Large members.

Please note, there are now 3 members seeking the 2 At-Large positions.

DISCUSSION:

Cluff asked if they had to give them any direction.

Gayle Spofford, from the public, spoke. She has some concerns but was hesitant to bring them up at a public meeting. She was not sure what the easiest way for the Selectmen to give them direction was. She said that a Selectman had mentioned possibly having a few Selectmen meet with them.

Discussions on whether or not such discussions should be conducted in public or in private occurred.

Boothby wants the negotiations, etc. to be done in public but Spofford said that such would be difficult and suggested going into executive session.

Arlene Poisson, from the public, spoke, stating that she believes that these discussions should be open to the public.

Selectmen explained why they believe the discussions should be held in private.

A motion was made to appoint Michael Mosher to the Director position and Richard Smith and Gayle Spofford to the two At-Large positions on the RSU 21 Cost-Sharing Amendment Committee (no terms).

MOVED: Karytko

SECONDED: Cluff

MODIFICATIONS: None.

VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

- d. Discuss New Positions Approved at the Annual Town Meeting– The community approved the funding of three new positions this past June at the Annual Town Meeting. Staff will be present to share additional information (being compiled) on the work duties, staffing changes, outstanding projects, alternate growth skills, maintenance and outsourcing of services that potentially could be brought in-house.

The purpose of this discussion is to ensure the vision for these positions is shared by the Board and staff moving forward.

DISCUSSION:

Baldwin did not include himself in the beginning of these discussions because they involved his business.

Tibbetts explained that they want to try to see where they can blend/combine certain people or skills to increase productivity. He said that there are actually four new positions, not three. He apologized for the error. Tibbetts explained the computer system first, saying that they outsourced services with Winxnet for their infrastructure on their servers. They also outsource for microwave technology. This helps with their police software. Moving on, Tibbetts said that they outsource their Town Hall Streams (where one can find video of a Kennebunk Board of Selectmen meeting). He also talked about Video Creations (owned by Blake Baldwin) which does the videos for meetings in Kennebunk such as the Board of Selectmen meetings. Finally, Tibbetts said that they outsource work done on software. They spend about \$5,000 a year on Winxnet and about \$6,000 or \$7,000 on the microwave technology. They spend \$250 a month on Town Hall Streams and about \$14,000 for video production.

Schulte wondered why it takes five hours to submit a Town Hall Stream. Tibbetts said that someone has to actually stand by to make sure that the material is getting onto CD's.

Cluff thinks that not outsourcing is a good thing but that they should deal with the most expensive things first.

Morin wants to save the most money possible. He thinks that looking at the redistribution of work could save money (one employee could do multiple things in order to prevent the Town the need to hire another employee).

Tibbetts also explained that the truck driver position is deemed necessary.

Finally, Tibbetts said that the two Fire Captain positions will enable them to have more supervision and coverage, "24/7". He went on to say that they are ready to start the interviewing process.

The Chair proceeded to the next item.

- e. Discuss/Hear an Update on the Waterhouse Center Floor Improvements – The Waterhouse Center floor improvements are nearly complete. The new floor coating is an outdoor surface product similar to a tennis court surface made for concrete. The coating will enable better youth/elder activities with less impact on the joints of participants. The coating will be green with appropriate white lines and this coating will allow for more activities. The material cost of \$3,400 and applicator cost of \$1,200 was contributed by the Waterhouse Youth Foundation. The work to apply the coating is estimated at \$2,500, and will come from our Public Services Division budget, and should be completed within a week. Outsourcing this job was estimated to be \$10,000+/-, with the Town still doing some of the work.

This article was requested by Selectman Karytko.

DISCUSSION:

Karytko said that he didn't know that they were paying for this and wondered how it all started.

Cluff said that Karytko probably doesn't know a lot about what people around us are doing and wondered if one would have to know everything.

Karytko responded to Cluff, saying that if the taxpayers had to pay for it then yes. He asked why the project is so important and wondered how much they were spending on it. He was annoyed with the part of the costs for the application of the coating because when he had questioned before about what the Waterhouse Center would cost the Town's taxpayers he was told that it would cost them nothing.

Cluff got confirmation that the Pickle ball games are done at the Waterhouse Center and are run by the Recreation Department, thus one can look at this as a recreation expense.

Karytko, however, said that there are 4 Pickle ball courts set up at the West Kennebunk tennis courts so why would they need to do such at the Waterhouse Center? He feels like many things are not getting done in the Town because they are spending too much time with the Waterhouse Center.

Tibbetts responded to Karytko. He said that the Waterhouse Center is used year round and is owned by the Town. He said that he feels as though the deal made with the Waterhouse Center is fair on this matter.

Karytko wondered how many people would have to be hired before he is able to see improvements to the roads. He said that the people of Kennebunk want to see improvements to infrastructure and to him that means the roads not signs, etc.

Cluff responded to Karytko by saying that buildings are included in the category of infrastructure.

Boothby said that Karytko made some very good points and thinks that they should know about things like this because he didn't even know about it.

Cluff does not want to scrutinize and know absolutely every step taken by someone like Tibbetts.

Schulte wondered if the Waterhouse Youth Foundation funds the snow removal of the skating area or if they only fund the maintenance on the ice. Tibbetts said that they only fund the maintenance of the ice. Therefore, Schulte concluded that this is another cost to them.

Morin wondered why this matter is not considered a part of the Family and Children's Youth and questioned the expenses.

Karytko said that he does not want to make decisions on matters that have missing information.

Morin said that he thinks there is a line that is blurred as to what is covered and what is not. He wonders if they can use the Finance committee or some other people to report out what is going on in terms of spending. He said he talked to Karytko about this.

Baldwin asked if the expenses for the Waterhouse Center are in the Town Budget and it was said that it is not. Baldwin believes that it should be. Others agreed.

Schulte wants to know how much they spend on other facilities so they can see how such numbers match up with the amount of money spent on the Waterhouse Center.

Arlene Poisson, from the public, spoke, saying that she believes that many would agree that the Waterhouse Center has been a source of much enjoyment but also said that she agreed with what Karytko said about things that they already have not been taking care of. She was confident that the Foundation funds will be used for its use in the winter so she asked why the costs for these activities would come out of those funds.

Joel Downs, the Finance Director, spoke. He went over the uses of different accounts.

Steve Bowley, from the public, spoke. He was confused how the Town can determine the proper amount of manpower needed for a given project if they don't keep track of how long things take, etc.

Schulte said that he thought that a previous Board had implemented some kind of a tracking system.

The Human Resources Director said that the new tracking system has not been implemented yet.

The Finance Committee will discuss this further.

The Chair proceeded to the next item.

- f. Hear an Update on Roads to be Improved – The current listing of roads to be improved this fall is a combination of roads from the previous budgetary cycle and new budget allocations.

Name of Road	Fall	Spring 2017	New/Old Budget
Boothby Road	X		O
Bourne Street	X		O
Dutcher Lane	X		N
Emmons Road	X		O
Holland Road		X	N

Southgate Road	X		N
Thompson Road	X		O
Woodhaven Drive		X	N
Woodland Avenue	X		O
Valley Avenue	X		N
Route One Drainage	X		O
Eastern Trail	X		O
Central Fire Station Catch Basin	X		O
Plummer Lane	X		O
Caly Hollow Culvert	X		O
Cross Street, Wallace Street Traffic	X		O
Crack Sealing (17.37 miles)	X		O

This article was requested by Selectman Karytko.

DISCUSSION:

Karytko asked how much they budgeted for the roads. About \$2 million was the answer. He was a bit confused as to how the total came to \$2 million.

Tibbetts explained and said that a new listing will be given in the spring that will add more roads.

Schulte asked if there were any changes to the list from the last one.

Chris Osterrieder, the Town Engineer, explained that only a few of the dates may vary.

There were no public comments.

The Chair proceeded to the next item.

d. Discuss Boards and Committees (resignations/appointments, if any)

- **Accept the Following Resignation(s):**

Virginia Brooks Griffith – Economic Development Committee, Regular 2017

DISCUSSION:

None.

There were no public comments.

A motion was made to accept the resignation of Virginia Brooks Griffith from the EDC and send a letter thanking her for her service.

MOVED:

Morin

SECONDED:

Karytko

MODIFICATIONS:

None

VOTE:

7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

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

<u>Applicant</u>	<u>Committee</u>	<u>Vacancies</u>
Judith Metcalf	Committee on Aging	no vacancies. If the Board wishes to appoint Judith, the appointment could be to a term of 2019, 2018 or 2017. Our current membership consists of 4 members with terms expiring in 2019, 3 expiring in 2018, and 3 expiring in 2017.
Todd Bridgeo	Cons. & Open Space Planning Comm.	(1) Reg. 2017, (1) Reg. 2019, (2) Alt. 2017
Joseph E. Bergeon	Comp. Plan & Zoning Ord. Update Comm.	no vacancies (comm. is seeking 2 student reps.)
Kyle Ryan (non-res.)	Comp. Plan & Zoning Ord. Update Comm.	no vacancies (comm. is seeking 2 student reps.)

DISCUSSION:

Cluff wondered if they should talk about committees.

Schulte said that he thinks that it is a good discussion to have but that the Committee on Aging is new and seems to be at the appropriate size and Judith is a good candidate for the committee.

Morin agreed with Schulte.

A motion was made to appoint Judith Metcalf to the Committee on Aging with a term expiring in 2018.

MOVED: Karytko
SECONDED: Schulte
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

A motion was made to appoint Todd Bridgeo as a Regular Member on the Conservation & Open Space Planning Commission for a term expiring in 2019.

MOVED: Schulte
SECONDED: Baldwin
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

A motion was made to appoint Joseph Bergeon and Kyle Ryan as Student Representatives on the Comprehensive Plan & Zoning Ordinance Update Committee (no terms).

MOVED: Boothby
SECONDED: Beal
MODIFICATIONS: None
VOTE: 7 in favor, 0 opposed. The motion passed.

The Chair proceeded to the next item.

h. Discuss Any Other Business

The Selectmen decided to meet on August 16th at 6 PM and to go into executive session to talk about negotiations.

10. SELECTMEN'S COMMENTS

a. Subcommittee Reports (if any)

Signing occurred.

b. Individual Selectmen Comments

Selectman Baldwin:

- Downtown Committee met and is going to try to leverage the new traffic (foot) that is being generated by the trolleys at the Waterhouse Center.
- Had his first meeting with the Festival Committee. The Committee is geared toward HarvestFest.
- Created a video of the West Kennebunk Family Fun day and it is online on the Facebook page called, "Video creations."

Selectman Beal:

- None.

Selectman Morin:

- None.

Selectman Boothby:

- Concert from the Portland Symphony was great even though it rained.
- Wondered if there can be a presentation by the school at the next meeting which shows where the school is at. Tibbetts said that he can coordinate it. He also said they may have the Selectmen go on a tour of the school.

Selectman Cluff:

- None.

Selectman Schulte:

- West Kennebunk Family Fun Day was great (he brought his kids).
- Wants to talk about drones in the future.
- Had a good time at the Portland Symphony event (once they realized that they would be soaked).

Selectman Karytko:

- Said that the Family Fun Day in West Kennebunk was very successful. Morin, Baldwin, Beal, Schulte and Karytko went.
- Was asked a question by a resident about limiting the time on parks and beaches.
- Some people in the Lower Village are being sued by the Forsleys.
- Wondered about progress on the skateboard park. Tibbetts said that it will be discussed at the September 13th, 2016 Board of Selectmen meeting.
- Said that it was dark in the back of the police station. He thinks that there should be some kind of lighting there. Baldwin agreed, saying that he thinks that the police chief, Mackenzie, tried to get lighting there before. The police chief was at this meeting and said that he was in support of lighting (he was in support of such before too) at the police station.

The Chair proceeded to the next item.

11. TOWN MANAGER'S COMMENTS/NOTES

a. Upcoming Events and Workshops:

- Summer Meeting Schedule: The August 23rd Selectmen's Meeting has been Canceled – The next regular meeting will be held on September 13th.
- Tuesday, September 6 – Board of Selectmen Workshop on TIFs will be held at 6:30 p.m. on the third floor of the Town Hall.
- 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 scheduled for a 2nd Reading (at the 7/12/16 meeting) will be discussed at a future meeting:

- Park Use Ordinance (September 13th)

DISCUSSION:

Tibbetts asked the Selectmen to email him questions or data that they want before the Workshop on TIFs.

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 M RSA Sec. 405(6)(C)

A motion was made to go into executive session at approximately 10:04 P.M.

MOVED: Morin

SECONDED: Cluff

MODIFICATIONS: None

VOTE: 7 in favor, 0 opposed. The motion passed.

Upon coming out of executive session, the Board stated they had nothing to report.

13. ADJOURNMENT

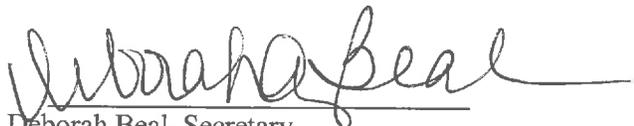
A motion was made to adjourn the meeting at approximately

MOVED:

SECONDED:

MODIFICATIONS:

VOTE:



Deborah Beal, Secretary
Kennebunk Board of Selectmen

Date: 9-13-16