

KENNEBUNK SELECT BOARD MEETING MINUTES

TUESDAY, MARCH 8, 2022 – 6:30 P.M.

ZOOM TELECONFERENCE MEETING

This meeting was held via the Zoom teleconferencing platform in keeping with the Select Board's "Remote Meeting and Participation Policy" for COVID safety. The meeting was televised on Cable TV Channels 5 and 1302. It is available for viewing at any time online at *TownHallStreams.com*.

1. Call to Order

The meeting was called to order at 6:30pm by Chair and presiding officer L. Blake Baldwin, who then led attendees in the Pledge of Allegiance. Those in attendance were:

Present: Select Board Members L. Blake Baldwin [Chair], Shiloh A. Schulte [Vice], Kortney Nedeau [Secretary], Sally Carpenter, Frank Paul, and William Ward, Jr.

Absent: Lisa Pratt

Also Present: Michael Pardue [Town Manager], Chris Osterrieder [Director of Community Development]; Joel Downs [Finance Director], Merton Brown [Town Clerk], Bryan Laverriere [Director, Public Services], and Jeri Sheldon [HR Director].

2. Approval of Minutes

B. Baldwin next led members in a review of the minutes of the Select Board's Regular Meeting of February 22, 2022.

Motion: Move that the Select Board of the Town of Kennebunk approve the minutes of its Regular Meeting of February 22, 2022.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

3. Items to be Signed

There were none.

4. Public Hearing

The Chair then opened a public hearing and solicited public comment on the **Warrant Articles for Kennebunk's March 29, 2022 Special Town Meeting Referendum Election**. B. Baldwin explained that two public hearings are required for all warrant articles. This particular hearing, he said, was the second public hearing on the topic.

Several public participants began offering comments before the specific topics were addressed later in the Agenda. Karen Gervasoni expressed concern about the "growing backlash against diversity" in the School District. Brenda Robinson questioned how ballots could be printed and residents allowed to cast absentee votes if the warrants had not been formally approved, and the Town Clerk explained the timing of absentee voting and ballot printing. Michael Connolly found fault with the RSU 21 recall initiative since it "lacks factual basis" and could be grounds for a discrimination lawsuit.

Town Clerk M. Brown reminded participants that there were two separate warrants under consideration – one with two zoning items and one regarding the RSU recall initiative. Comments on the recall, he said, were perhaps best voiced later in the hearing when that article was taken up.

Gayle Spofford asked if changes could be made to the warrant on zoning, and B. Baldwin responded in the negative. Lionel Menard asked when the Board approved “the \$14 million” additional outlay for the Public Services garage, and B. Laverriere and J. Downs offered a brief synopsis of the budget discussions on the garage which go back more than one year. “The Board specifically endorsed the proposed outlay,” Laverriere stated, “in its budget meetings in February, 2022.

When there were no more public comments, the Board took up the following motion:

Motion: To approve and sign the Special Town Meeting Warrant for March 29, 2022

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

5. Public Comments

The Chair then formally opened the meeting to public comments and questions of a general nature.

Gayle Spofford suggested that the Town post a special alert on the home page of its website to encourage the public to vote in the upcoming March 29th election. Rachel Phipps voiced objection to special elections in general, the body language of one Select Board member on screen, and the lack of alternative candidates for the recall.

There being no other public comments, B. Baldwin closed the public hearing.

6. Announcements and Acknowledgements

a. New Hire

B. Baldwin then reported that Matthew Duplisea had begun work as a “Program Coordinator” with the Town’s Parks & Recreation Department effective March 3, 2022. Matt previously worked for Kennebunk in a similar capacity in 2006-2016 before moving to a recreation position in Biddeford. Matt holds a degree in Sports Management from Western New England University. On behalf of the Board and Town, Baldwin extended a warm “welcome back” to Matt.

b. COVID Preparedness Updates

Workplace COVID Task Force: Town Manager M. Pardue reported that the Workplace Task Force had met on February 24th and recommended a “masks-optional” policy for Town Hall staff. Pardue said that the most recent CDC data supported such an adjustment, recognizing the Town has several engineering controls in-place to aid in keeping the staff and public as safe as possible from the transmission of COVID.

Kennebunk COVID Task Force: The Kennebunk COVID Task Force, Pardue added, had also met and considered easing the masking requirement since the local positivity rate is now 3.89%, down significantly from the 15.97% rate which prevailed one month ago.

M. Pardue suggested that, based on the feedback of these two Task Forces, masks should be optional in Town owned municipal building effective March 9, 2022. He asked for the Board’s concurrence. Select Board members voiced general agreement with the proposal. Pardue further assured that he and staff would be continuing to monitor % Positivity rates going forward to determine if further adjustments should be appropriate.

J. Sheldon, HR Director, thanked employees and the Task Forces for their contributions to workplace safety. She reported that staff vaccination rates were high and reiterated that services to the public were uninterrupted during the pandemic thanks to Town Hall’s and staff members’ overall mobilization.

7. Time Sensitive Business and Staff Presentations

a. Donations

The Chair next reported that the Town had received the following two donations:

- \$50.00 from James K. Pastorelli for Kennebunk Fire Rescue; and,
- \$750.00 from the Maine Community Foundation/Haste Family Fund for Fuel Assistance.

Motion: Move to accept the above donations and send letters thanking the donors for their generosity.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

b. Approve and Sign the Warrant for the March 29, 2022 Recall Election

The Chair then asked Board members to consider formal approval of and sign-off on the Warrant for the March 29, 2022 Recall Election. He reminded Board members that their signatures on the Warrant were a formality and did not necessarily signal a member's endorsement.

Art LeBlanc, head of the School Board, reported that a court of law had ruled today that Kennebunk's Ordinance does give Town Hall the right and obligation to act on the submitted petition for recall. Mr. LeBlanc subsequently read a statement, which he asked be included in this public record [attached here as "Addendum 1"].

Gayle Spofford cited the "high qualifications" of the School Board member singled out for recall. Rachel Phipps called for a revision of the Town's Charter so that all School Board members could, in principle, be recalled or retained on equal footing. S. Schulte concurred, agreeing that there were flaws in the Charter which merited "thoughtful and thorough review".

B. Baldwin affirmed the court ruling cited by Mr. LeBlanc and said that the ruling would be posted in full on the Town's website. View at: www.kennebunkmaine.us/rsu

Gayle Spofford urged the public to vote against the recall on March 29, 2022, but nevertheless cited her qualifications as a candidate on the ballot if the recall is approved.

There being no other public comments, the Board proceeded to consider the following motion:

Motion: To approve and sign the Recall Election Warrant for March 29, 2022.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

c. Countersign RSU 21 Warrant and Notice of Election for the June 14, 2022 Election

B. Baldwin then asked Board members to countersign the RSU 21 Warrant and the Notice of the June 14, 2022 Election. He again noted that a member's signature did not necessarily signal endorsement. There were no Board or public comments.

Motion: To countersign the RSU 21 Warrant and Notice of Election for the RSU 21 Budget Validation Referendum Election to be held on June 14, 2022.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

After the vote, the Town Manager asked Board members to sign these documents at the Town Clerk's Office at their earliest convenience.

8. Old Business

a. Adopt a Resolution to Participate in the Community Resilience Partnership

B. Baldwin reported that the Town of Kennebunk had been invited to be a member of a four-community Regional "Community Action Plan" cohort that will share resources and experiences to develop community-specific "Climate Action Plans". On March 1, 2022, he said, the Select Board held a workshop to establish several climate-action goals. Those goals, Baldwin stated, were the starting point for the Town to be able to enroll in the Community Resilience Partnership through the Governor's Office.

Baldwin explained that the Town now needed to (1) adopt a resolution formally identifying specific action areas, and (2) appoint a staff point-of-contact for the Partnership. Upon adopting the resolution, he said, the Town would be able to apply for a Community Action Grant, which would be overseen by the Town's Community Development Department.

S. Schulte asked the Chair to read the specific resolution, and B. Baldwin read that text [attached here as "Addendum 2"].

Motion: To adopt the aforementioned resolution to participate in the Community Resilience Partnership.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

b. Other Old Business

There was none.

9. New Business

a. First Readings on Items to be Forwarded to the Annual Town Meeting in June

B. Baldwin then conducted first readings of a number of items which could, if approved by the Select Board, be forwarded to the Annual Town Meeting on June 14, 2022. There were five such items.

- (1) **Charter Language Change:** Baldwin reminded that Board that it had agreed on November 26, 2019 to replace the terms "Board of Selectmen" and "Selectman" in Town documents with the gender-neutral term "Select Board". Most Town documents have been so amended. However, the original terms nevertheless appear more than 100 times in the Town's Charter, he said, and changing those terms in the Charter requires a Town Meeting and voter approval.

Board members at today's meeting broadly endorsed the language change. However, the Chair reminded members that a public hearing would again be required before the item could be advanced to a Town Meeting vote.

Motion: To schedule a Public Hearing for March 22, 2022 to receive public comments on the proposed language change in the Town's Charter as noted above.

Moved: S. Carpenter

Seconded: K. Nedeau

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

- (2) **Zoning Change for 9 Barnard Lane:** The Chair next summarized a proposal to amend the zoning of 9 Barnard Lane from “Village Residential District” (Article 8, Section 7) to “Portland Road Mixed Use District” (Article 8, Section 25). The property is currently vacant and abuts the PRMU zone. In January, 2022, the owners received a Certificate of Appropriateness (21-H-50) from the Historic Preservation Commission for the deconstruction and reconstruction of the main house subject to a number of conditions.

Kennebunk’s Planning Board, Baldwin reported, held a public hearing on this zoning proposal on February 14, 2022 and voted to forward it to the Select Board with positive recommendation (4 votes in favor, 1 opposed) for the Select Board’s consideration and possible inclusion on the June ballot.

Before the proposal can be advanced to a Town Meeting vote, Baldwin reiterated, a public hearing is required.

S. Carpenter and K. Nedeau strongly endorsed the proposal. B. Baldwin concurred, commending Town Hall staff Karen Winton, Brian Paul, and Chris Osterieder for their work “behind the scenes” to help advance this project.

Motion: To schedule a Public Hearing for March 22, 2022 to receive public comments on the proposed Zoning District Change for 9 Barnard Lane.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

- (3) **Public Services Facility:** The Chair next reported that the Town’s Public Services facility, located at 36 Sea Road, was in need of extensive repairs and expansion to meet the Town’s current and future needs.

The Town, Baldwin stated, had engaged Sebago Technics, Grant Hays Associates, and Allied Engineering, Inc. to undertake an assessment and recommend improvements. That three-company project team, he said, had identified a number of serious deficiencies:

- The Public Services Department has outgrown the existing building;
- The facility’s ventilation and mechanical systems are inadequate;
- There are Code compliance issues;
- The overall site is in “poor condition”;
- The site lacks adequate building and equipment storage space as well as adequate parking; and,
- There is a single, bottlenecked point of access to the site for the public, staff, and visitors to the Transfer Station.

The project team, Baldwin added, had formulated a “Facility Expansion and Site Masterplan” to address these issues and ensure that Kennebunk residents continue to enjoy efficient, cost-effective services. The primary goals of the Masterplan, he said, were (and are) specifically fourfold: (1) improved access to the site, (2) improved traffic flow, (3) renovations and improvements to the Public Services garage, and (4) additions of administrative space, storage, and a vehicle wash bay.

B. Baldwin explained that the Public Services Facility services “over 85 vehicles” in two garage bays. The vehicles include cars and trucks used by Police, Fire and Rescue, Public Services, Parks & Recreation, Code Enforcement, and Assessing.

"These vehicles," Baldwin stated, "are essential for Town staff to carry out their duties." The expansion/renovation of the Facility, Baldwin said, would extend the useful life of the Town's vehicles, and is therefore an important long-term investment.

The Chair additionally noted that voters had approved \$2.7 million of funding for these improvements, and that funding was already in hand. An additional \$11 million would now be required and was recently approved by the Town's Budget Committee during its February, 2022 meetings. However, the increment would also have to be approved by voters at the June 14, 2022 Annual Town Meeting.

S. Carpenter reported that she had visited the Facility and could attest to the need for "serious repairs" there. S. Schulte added that this project has been under consideration for a long time and "it's past time that we move forward".

K. Nedeau saw the benefit of having adequate, proper storage for Town vehicles despite the financial outlay. Public commentator Brenda Robinson concurred, urging the public to view the Facility in person to see its "awful" condition first hand. Voters, Ms. Robinson said, should support this project.

Andrew Freda, another public commentator, expressed concern about the escalating debt being taken on by Town Hall and the RSU 21 School Board. He urged Town residents to look closely at Kennebunk's consolidated indebtedness and consider shortening the tenors of the Town's prevailing bonds.

There being no other public comment, the Board took up the following motion:

Motion: To schedule a Public Hearing for March 22, 2022 to receive public comments on the renovation and expansion of the Public Services Facility.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

- (4) **Addition of Domestic Partner Insurance Coverage:** B. Baldwin then introduced a proposal to amend the Town's Personnel Policy to give employees the option of enrolling a domestic partner in health care coverage providing the employee, him or herself, was eligible for employer benefits with the Maine Municipal Employees Health Trust (MMEHT).

Baldwin reminded Board members that they had discussed and supported this policy change during their 2022-23 budget deliberations in February and March of 2022. He reported that municipal employers in the MMEHT wishing to adopt such coverage must (1) have the change formally approved via a Town Meeting and (2) specifically have voters approve the following verbatim language [cited below in italics]:

Effective September 1, 2022, the Town of Kennebunk amends its personnel benefits to allow any employee who is eligible to enroll in the employer benefits the option of enrolling a domestic partner.

Any employee who wishes to add a domestic partner will be advised of the requirements set forth in the Domestic Partner Affidavit to add said partner. Furthermore, said employee has been advised that there could be tax implications for adding a domestic partner.

The Domestic Partner of an Employee shall be:

- *A “life partner” of either the same sex or opposite sex of the employee;*
- *Not legally married or separated, to either the employee or anyone else;*
- *At least 18 years of age and mentally competent to consent to contract;*
- *Are each other’s Domestic Partners and intend to remain so indefinitely;*
- *Have been each other’s Domestic Partner for at least twelve [12] months prior to the date of the signed Affidavit;*
- *Are not related by blood to a degree of closeness that would prohibit marriage in the State of Maine; and,*
- *Are jointly responsible for each other’s common welfare, share financial obligations, and share a primary residence.*

J. Sheldon, HR Director, offered additional detail. This policy change, she said, would fundamentally extend three benefits: health insurance, dental, and vision. K. Nedeau voiced support for the change since many towns in Maine already offer such benefits and because “non-traditional couples” are increasingly prevalent.

Motion: **To schedule a Public Hearing for March 22, 2022 to receive public comments on the addition of Domestic Partner Insurance Coverage.**

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: **Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.**

(5) **“Resolution to Take Action on Climate Pollution” [Citizen-Initiated Petition]:**

B. Baldwin then introduced the petition of Mr. Tom Berry, which had garnered a sufficient number of resident signatures to go before voters at Kennebunk’s June 14, 2022 Annual Town Meeting. Baldwin again explained that a public hearing was required before this item could be advanced to a Town Meeting vote.

The question which would actually appear on the ballot, Baldwin said, contains the term “Board of Selectmen”, and that language would have to be preserved as originally set forth in the petition. The verbatim text would therefore read as follows:

To see if the Town will authorize the Board of Selectmen to convey to Kennebunk’s state legislators, Members of Congress, Governor, and President of the United States that the Town hereby calls upon our Federal elected representatives to enact carbon-pricing legislation to protect Maine from the costs and environmental risks of continued climate inaction. To protect households, we support Cash-Back Carbon Pricing that charges fossil fuel producers for their carbon pollution and rebated the money collected to all residents on an equal basis with monthly dividend checks.

The record of the vote approving this article shall be transmitted by written notice to the above-mentioned parties by the Board of Selectmen within 30 days of this vote.

Tom Berry, the originator of the petition, addressed the Board, urging members and the public to learn more of the initiative by going online to look up the “Energy Innovation and Carbon Dividend Act” K. Nedeau congratulated Mr. Berry for his work. She asked the Town Manager to make Mr. Berry’s support materials available for public view via the Agenda attachments posted if a public hearing is convened.

Motion: To schedule a Public Hearing for March 22, 2022 to receive public comments on the Citizen Initiated Petition on Climate Pollution cited above.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 5 votes in favor, 1 opposed [Ward, Jr.], 1 absent [Pratt]; the motion passed.

(6) **Other Possible Town Meeting Items** B. Baldwin observed that there were a number of other items which could also be included on a future agenda if and when those items advance. Such agenda items include:

- Kennebunk's Comprehensive Plan (currently under State review)
- Wetland Mitigation Ordinance (currently under Planning Board review)
- Contract Zone for the "Pilot House" restaurant (currently under Planning Board review)

It was noted that Amendments to the Town's Fireworks Ordinance have already been moved to the June 14, 2022 Annual Town Meeting after a public hearing.

b. **Public-Private Partnership**

B. Baldwin then initiated discussion on a possible "public-private partnership" between the Town and Mr. Paul Gosselin, owner of the Shoppers Village complex at 45 Portland Road. There have been ongoing discussions between the two parties, Baldwin said, about collaboration to "enhance the safety and security of Shoppers Village and adjacent roadways".

The concept, Baldwin said, is to enable public safety agencies to respond more quickly to crimes in progress by having Police receive real-time video feeds from the shopping complex in order to keep citizens and Officers safer.

After making these introductory remarks, B. Baldwin recused himself from further discussion because he is a tenant of Shoppers Village complex, himself.

M. Pardue offered additional information. The basic idea, Pardue said, is for the Town to purchase and install security cameras on a one-time basis. Mr. Gosselin, in turn, would commit to maintaining the equipment, paying for all related utility costs, and eventually replace or update it.

M. Pardue stated that he did not have a firm estimate for the project, but it would likely cost the Town "around \$20,000". Pardue also cited that funding, if this concept were to advance, would be through the Route 1 TIF program. However, Pardue made clear that he was not seeking approval at this time. "We are simply looking for the Board's guidance as to whether to explore this in further detail or not," M. Pardue said.

W. Ward, Jr. questioned the public benefit of taking on this expense and asked if the Town would likewise create such partnerships with other merchants or commercial landlords. M. Pardue responded that the initiative could possibly be expanded. Pardue also observed that there would be "significant benefits" for the Police and public at large in having surveillance recordings of suspect cars and suspect individuals for heightened crime prevention.

K. Nedeau voiced support for the concept, but questioned whether there would be advantage and "better buying power" if a larger version of the program were rolled out with multiple partnerships in more locations. S. Schulte said he would consider endorsing the idea if the Police Department confirmed that the Shoppers Village was a "high-need" location warranting such video surveillance.

Miriam Whitehouse, a public commentator, called for the Board to demonstrate “strict fairness” and only consider offering such service to all merchants, not just one mini-mall. Rachel Phipps opposed increased surveillance at taxpayer expense. B. Baldwin, “speaking as a public commentator”, offered several examples of how video surveillance had helped solve petty crimes in the recent past.

Board members informally agreed that the Town Manager should continue to investigate this idea to better ascertain the cost-benefits. No formal motion was entertained.

- c. **Kennebunk River Restoration Committee Update:** This Committee is comprised of staff, volunteers, representatives of local businesses, and community members of the towns of Arundel, Lyman, Kennebunk, and Kennebunkport. The Committee operates with the assistance of the Maine Healthy Beaches Program and the ME USDA Natural Resources Conservation Service.

S. Carpenter then offered an update on the progress of the Kennebunk River Restoration Committee. She read a press release, which was linked in the agenda, from the Restoration Committee. It stated that several Kennebunk beaches were “impaired”, and informed the public that a federal government grant had been obtained to help make a number of improvements. Volunteer groups working with the Restoration Committee, S. Carpenter said, will help roll out “remedy action plans” with local farmers, homeowners with septic systems, boat owners pumping out sewage, and area residents in general.

Among others, S. Carpenter said, these remedial actions will include: (1) septic checks; (2) planting vegetation along riverbanks; and (3) community education initiatives to encourage the use of only organic fertilizers and other anti-pollution measures which home-owners could adopt.

10. Select Board Comments

- a. **Subcommittee Reports:**

B. Baldwin highlighted the progress of the Subcommittee charged with helping to identify candidates to replace the Town Manager. Town Manager M. Pardue had announced his intention to leave office in November of this year. Baldwin reported that three recruitment firms had been identified — (1) MMA, (2) Easton Peabody, and (3) GovHR — to assist the Town. Baldwin will keep the Select Board and public abreast of the Subcommittee’s evaluation of these three recruiters.

- b. **Board Liaison Reports**

B. Baldwin: The Community Garden Committee is making plans for its two main gardens. A first kick-off meeting took place with Tilson on broadband and connectivity.

S. Schulte: The Conservation Commission met on March 7th to discuss the River Restoration Project. Progress is also being made with the wetland Ordinance language.

K. Nedeau: The Economic Development Committee (EDC) met last week and made further progress on connectivity. A contract was signed with Tilson, which is in the process of identifying three possible tower locations. Representatives of the EDC, Nedeau said, will also begin meeting with “3 or 4 local employers each month” to survey the priorities and service needs of local businesses.

c. **Comments of Individual Select Board Members** - There were none.

11. Town Manager Announcements

Town Manager M. Pardue then made several announcements.

a. **Update on Town Manager Search:** B. Baldwin provided an overview of the status of this process, citing three (3) proposals from Eaton Peabody, MMA and GovHR have been received and are being evaluated by him and Schulte, as supported by the Board. Baldwin said he and Schulte expect to have added information to offer the Board at their upcoming meeting on March 22nd.

Update on Fire Chief Search: M. Pardue reported that a job description for the Fire Chief post had been finalized and the job posted "on a variety of media outlets". The applicant response date is late March, 2022.

b. **Committees Workshop:** The Select Board will hold a workshop on Committees on Thursday, March 24, 2022 at 6:30pm. The public is encouraged to attend via Zoom.

c. **March 29th Election:** The Town will hold two elections simultaneously on Tuesday, March 29, 2022 from 6:00am until 8:00pm at which voters will (1) entertain two proposed zoning changes and the (2) possible recall of an RSU 21 School Board member. Detailed election information is available at www.kennebunkmaine.us/election. Voters seeking absentee ballots can obtain them now by contacting the Town Clerk's Office.

12. Executive Session

None was called.

13. Adjournment

There being no additional comments or topics for discussion, the Chair adjourned the meeting at 9:13 pm.

Motion: To adjourn the meeting.

Moved: S. Schulte

Seconded: W. Ward, Jr.

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent [Pratt]; the motion passed.

Respectfully submitted by,
J. Schlagheck, Clerk

Adopted by the Board in the meeting of 3/22/22
DATE OF MEETING

Signed by
Select Board Member:

L. Blake Baldwin
SIGNATURE
L. Blake Baldwin
NAME IN PRINT

Letter to the Town of Kennebunk Select Board
Art LeBlanc, Board Chair RSU 21
March 8th, 2022

Addendum 1

Good evening,

Today we received the decision from Judge Douglas that the Kennebunk Town Charter Recall provision does apply to RSU 21 School Board Directors. Given that decision our questions have been answered and it leaves our community with a recall process driven by our Charter. A Charter that requires sworn affidavits yet no method to validate or disprove their statements, and a petition process requiring an oath from signature gatherers, yet no method for contesting signatures gained under provably false pretense.

It was asked at an earlier meeting, "How do we heal?" I have invited discussion with the Select Board regarding the recall provisions of the Charter prior to the filing for injunctive relief and extend that invitation again. This was never about not having a recall provision for School Board Directors. This was about a process that was used to unfairly target individuals serving our community and using provably false statements against members of our own community in doing so. As I have stated previously, the Town Charter and RSU 21 policy need to be developed to establish a defined and fair recall process. As the RSU 21 Board Chair I am willing to work with the Select Board to achieve that goal.

Judge Douglas stated, "This conclusion is in no way intended to, nor does, reflect on Mr. Stentiford's capacity or qualifications to continue serving as an RSU 21 Board Director, his performance in that office, or the merits of the recall initiative."

The following was provided by me, as a sworn affidavit to the court which I hold to be the truth as I have personally witnessed:

School Board Director Tim Stentiford has provided foresight, leadership, and commitment to doing the work in serving RSU 21's students, employees, and the communities of Arundel, Kennebunk, and Kennebunkport.

Starting his term in 2019 and being elected the Human Resources Committee Chair, Tim engaged in developing an inclusive, compliant, and transparent hiring process for RSU 21 superintendent, Dr. Terri Cooper. The selection committee included an unprecedented 42-person team including community members, students, administrators, and teaching staff. Mr. Stentiford worked with the School Board to engage the services of Maine School Management Association's (MSMA) Eileen King and Steve Bailey and partnered them with Lawrence Alexander from Carney Sandoe Associates. This partnership was so successful that the MSMA introduced Maine's Inaugural Cultural Competence Institute, engaging over 400 educators, administrators, and students in the 9-month program, now running in its second year.

Director Stentiford served as one of three co-chairs of the Diversity, Equity, and Inclusion Committee involving an inclusive 50-member process that resulted in detailed recommendations for the district delivered to the RSU 21 Board last spring. In addition, his work on the districts EEO statement and related filings has ensured compliance with state and federal requirements. For the educational benefit of the Board, Director Stentiford even wrote a white paper on the law, policy, and practice of EEO statements.

As a local business owner, Mr. Stentiford has developed Student Career Mentoring and School Internship Programs with Middle School of the Kennebunks, Kennebunk High School, Biddeford Alternative Pathways High School, Biddeford Regional Center of Technology, Greely High School, and Yarmouth High School. Tim's contributions as an RSU 21 Director and professionally since 2012 has provided direct employee mentoring of students throughout southern Maine. Within RSU 21 we are actively supporting partnerships such as these

pioneered by Mr. Stentiford to strengthen the opportunities for learning and professional engagement of our students.

During the pandemic, Mr. Stentiford introduced the concept of green, yellow, and red plans developed for all sport and extracurricular activities so that coaches and curricular leaders received their full stipends. Students continued to receive athletic training, extracurricular engagement, emotional, and social supports while athletic competitions and curricular activities were canceled.

In the past two years, the RSU 21 Board has also been engaged in a record number of negotiations for both Covid related health and safety Memorandums of Agreement and contract successor agreements. Director Stentiford created a Total Compensation Data Analytics tool that has served the team throughout the negotiations of every successor contract since it was introduced last year. His work drove the team to complete a comprehensive market analysis benefitting employees in both bargained and non-bargained positions. The Teacher's union contract was approved by 92% of members and completed 3 months before the contract expired.

Director Stentiford's work has not gone unnoticed as several school districts including the Bangor School Committee have asked Tim to share his knowledge as they engaged in searches for their own superintendents. Mr. Stentiford's contributions go beyond the communities that he serves and extends throughout the State through his excellence and dedication to the service of Maine students. Tim has even presented his workshop, Diversity, Equity, and Inclusion in Schools and Communities to the Brunswick and Kennebunk Rotary Clubs. Tim Stentiford's commitment to students is exemplary and a model for current and future members of School Boards throughout the State.

Mr. Stentiford's service to RSU 21 has been and continues to be exemplary, and I look forward to continuing to work with Mr. Stentiford in both my capacity as a Board Director, and as a community member when my service on the Board is complete.

Town of Kennebunk Community Resilience Partnership Resolution

WHEREAS, the Town of Kennebunk has completed the Community Resilience Partnership’s Community Resilience Self-Assessment and List of Community Actions, and held a community workshop on March 1, 2022, which identified the following action areas:

- Embrace the Future of Transportation
- Modernize Maine’s Buildings
- Reduce Emissions through Clean Energy Innovation
- Protect the Environment & Promote Natural Climate Solutions
- Build Healthy & Resilient Communities
- Engage Maine People

WHEREAS, the Town recognizes that planning for community and infrastructure resilience will protect people, preserve businesses and the local economy, and reduce the impact and costs of natural disasters;

WHEREAS, the Town recognizes that investing in energy efficiency and weatherization improvements is proven to lower municipal electricity expenses and make buildings more comfortable for employees and visitors;

WHEREAS, the Town recognizes the transition of municipal fleet vehicles to electric vehicles lowers fuel and maintenance costs and reduces the uncertainty of variable fuel prices on municipal budgets;

WHEREAS, the Community Resilience Partnership provides grants to municipalities and Tribal Governments for activities that lower energy expenses, reduce greenhouse gas emissions, and increase community resilience in alignment with the state’s climate action plan and goals;

BE IT RESOLVED, the Town of Kennebunk commits to participating in the Community Resilience Partnership, which supports community leadership in reducing greenhouse gas emissions and increasing resiliency to extreme weather and climate change impacts;

BE IT FURTHER RESOLVED, the Town of Kennebunk designates Christopher J. Osterrieder, P.E. – Director of Community Development/Town Engineer to coordinate planning, implementation, and monitoring of energy and resilience projects and to be the primary point of contact to the Community Resilience Partnership.


L. Blake Baldwin, Chair, Kennebunk Select Board


Date