

**KENNEBUNK SELECT BOARD
SPECIAL MEETING MINUTES
TUESDAY, JUNE 21, 2022 – 6:30 P.M.
IN PERSON, 3rd FLOOR MEETING ROOM**

This meeting was recorded and made available after the meeting for future viewing. It is available online on the Town's website at www.kennebunkmaine.us in the Agenda Center/Select Board.

1. Call to Order

The meeting was called to order at 6:30 pm by Chair L. Blake Baldwin.

Select Board members:

Present: L. Blake Baldwin (Chair), Kortney Nedeau (Secretary), Sally Carpenter, Frank Paul, Lisa Pratt and William Ward, Jr.

Absent: Shiloh Schulte (Vice Chair)

Also Present: Michael Pardue (Town Manager), Joel Downs (Finance Director), Merton Brown (Town Clerk), Chris Osterrieder (Community Development Director), Karen Winton (Community Development Deputy Director), Bryan Laverriere (Public Services Director), Police Chief Robert MacKenzie, Fire Chief Jeff Rowe, and Jeri Sheldon (Human Resources Director)

2. Public Hearing

The Chair opened the Public Hearings.

- a. An application from thewinehouse LLC d/b/a Wine House on Main Street for a Liquor License located at 17 Main Street.

Brenda Robinson, from the public, spoke regarding the Wine House on Main Street. She spoke of her belief that this facility has been open and operating and spoke of other license needs based on her research. She recommends the Town approve permits but the business not be allowed to open until the applicant has all required licensing.

Chris Osterrieder, Community Development Director, said from the position of code compliance, the facility has met code requirements.

Town Clerk Merton Brown noted if food sales are offered, a victualer license would also be required.

Discussion ensued about the possible sales of liquor already occurring at this establishment (before their license was granted) and the enforcement of violations.

Chief MacKenzie indicated the Maine Liquor Enforcement is the enforcement agency regarding liquor violations, although they could pass on complaints to this agency.

MOTION: To approve the Liquor License application for thewinehouse LLC d/b/a Wine House on Main Street located at 17 Main Street.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 5 votes in favor, none opposed, 1 absent [Schulte], 1 abstention [Paul]; the motion passed.

- b. An application from Tom Lavin d/b/a Trail Dogs for a Victualer License located at 61 Main Street.

Tom Lavin of Trail Dogs was available to discuss his operation of his food truck at 61 Main Street.

MOTION: To approve the Victualer License application for Tom Lavin d/b/a Trail Dogs located at 61 Main Street.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

c. An application from Pamela Day d/b/a Forking Good Grub for a Victualer License located at 61 Main Street.

MOTION: To approve the Victualer License application for Pamela Day d/b/a Forking Good Grub located at 61 Main Street.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

d. An application from Nicholas Wright d/b/a Char Wrigs Sno and Dough Adventure for a Victualer License located at 61 Main Street.

MOTION: To approve the Victualer License application for Nicholas Wright d/b/a Char Wrigs Sno and Dough Adventure located at 61 Main Street.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

There being no further comments, the Chair closed the public hearings.

3. Discuss the Challenges Associated with Police Officer and Firefighter/EMS Recruitment and Retention – Public Safety agencies across the country are experiencing extreme challenges with the recruitment and retention of qualified personnel. Kennebunk is no exception. Police Chief MacKenzie and Fire Chief Rowe will be present to share with the Board the difficulties their departments are experiencing in this regard.

Police Chief MacKenzie and Fire Chief Rowe each offered an overview of the challenges being faced by their departments and the measures they are taking related to recruitment and retention of personnel.

Both placed great emphasis on the importance of moving to a revised pension plan for staff, citing the majority of competitor towns and cities offer a significantly better retirement plan when compared to Kennebunk.

4. Broadcast System Improvements – During the past several months, staff has been working with Michael Davis of Gargoyle Productions (manages our cable/Zoom) to develop a hybrid meeting solution. We originally contacted Headlight Audio Visual who provided an estimate of \$39,700.00, with an uncertain installation timeline. We also contacted K Systems Global for an estimate (we have worked with K Systems in the past, installing the current A/V system to control the sound and camera production.) K Systems recently submitted an estimate of \$13,765.61, with installation to occur during July and August.

K Systems' estimate includes the following:

- Two 86" monitors for Rooms 301 and 300. (Room 301 projector and screen will be replaced by this monitor.)

- Change to a more sophisticated switching system and associated components to accommodate changes.
- (New system can also be controlled through an App, web interface, or through buttons on the front of the unit without the need for a complex and expensive third-party control system.)
- Power management and battery backup.
- Remote management of system for faster and less expensive consultations or service calls should they be necessary.
- Case to house equipment.
- Confidence monitor to preview items plugged into the new system prior to being sent to video switch.
- Replace two broken control room monitors.
- Streamline system and reduce operator workload.
- System to be expandable for future add-ons.

Given K Systems familiarity with the current set-up system structure, ability to perform the work this summer, good working relationship with staff, and reasonable cost, we have accepted K Systems' estimate contingent upon funding. With respect to funding of the project, we are proposing to use the Select Board's capital contingency funds since this project has a life of greater than one year (hopefully three years, or longer). The current balance of the fund is \$171,857.62.

Joel Downs provided some background information on our current system and the positive relationship the Town of Kennebunk has with K Systems.

MOTION: To approve the use of the Select Board capital contingency funds of up to \$14,500.00 to pay for technology upgrades to improve hybrid meeting broadcasts and management.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

5. Discuss the Formation of a Charter Commission – Whereas members of the Select Board have voiced an interest in establishing a Charter Commission, should the Board wish to advance such an initiative, Title 30-A M.R.S.A. Sec. 2102 identifies the following next step in the section entitled:

Charter, revisions, adoptions, procedures

1. "The municipal officers may determine that the revision of the municipal charter be considered or that adoption of a new municipal charter be considered and, by order, provide for the establishment of a charter commission to carry out that purpose as provided in this chapter."

Should the Board wish to adopt such an order, Attorney Burns has provided the following:

Ordered that, pursuant to Title 30-A M.R.S.A. Sec. 2102, the Select Board determines that the revision of the Town Charter should be considered and the question of the whether a charter commission shall be established for that purpose shall be placed before the voters of the Town of Kennebunk at the general election to be held on November 8, 2022.

Be it further ordered that the election of the six voter members of the charter commission be held at the same election as the referendum for the charter commission.

[View supporting material – Charter Commission Procedures \(PDF\)](#)

There were no comments or questions from the Board or the public on this topic.

MOTION: To approve the Order determining that the revision of the Town Charter should be considered and to place the question of whether a charter commission should be established before the voters at the general election on November 8, 2022 and to hold the election of the six voter members of the charter commission at the same election.

Moved: K.Nedeau

Seconded: S.Carpenter

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

6. Executive Session pursuant to Title 1 M.R.S.A. Sec. 405(6)(D) to discuss with the Town's Negotiators the Status of the Ongoing Negotiations of Labor Contracts between the Town of Kennebunk and the Maine Association of Police for the Police Patrol Officers and Police Sergeants Unit.

At 7:42 p.m., the following motion was made:

MOTION: To enter into executive session, with the Town Manager, Finance Director, Police Chief and Human Resources Director, pursuant to Title 1 MRSA Sec. 405(6)(D) for the purpose of discussing with the Town's negotiators the status of the ongoing negotiation of labor contracts between the Town of Kennebunk and Maine Association of Police for Police Patrol Officers and Police Sergeants Unit.

Moved: B.Baldwin

Seconded: W.Ward

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

Upon exiting the executive session at 8:41 p.m., the Board made the following motion:

MOTION: To ratify the contract between the Town of Kennebunk and Maine Association of Police for Police Patrol Officers and Police Sergeants Unit as presented, to include an additional 1% (added to the proposed 2%) on January 1, 2023 in the event the pension plan proposal fails to advance or be approved by voters as outlined in the Labor Management Agreement incorporated within the contract.

Moved: B.Baldwin

Seconded: K.Nedeau

Vote: Show-of-hands vote. 6 votes in favor, none opposed, 1 absent [Schulte]; the motion passed.

7. Adjournment - At 8:44 pm, the Board made the following motion

MOTION: To adjourn the meeting.

Moved: K. Nedeau

Seconded: S. Carpenter

Vote: Roll call vote. 6 votes in favor, none opposed, 1 absent (Schulte); the motion passed.

Respectfully submitted by,
Kathleen Nolette, Town Manager's Administrative Assistant

Adopted by the Board on: (DATE OF MEETING)

6/28/2022

Select Board Member:



SIGNATURE

Kortney E. Nedeau

NAME IN PRINT