

KENNEBUNK SELECT BOARD MEETING MINUTES
TUESDAY, OCTOBER 10, 2023 – 6:30PM
IN-PERSON AND TELECONFERENCE MEETING VIA “ZOOM”

This meeting was recorded for future viewing and is available in the Agenda section of the Town’s website under the media icon at www.kennebunkmaine.us/selectboardagendas.

1. Call to Order

The meeting was called to order at 6:30pm by Vice Chair Miriam Whitehouse, who then led attendees in the Pledge of Allegiance. Those participating were:

Participants: Select Board Members Miriam Whitehouse (Vice Chair), Lisa Pratt (Secretary), Kortney Nedeau, Kevin Therrien, Leslie Trentalange and William Ward, Jr.

Absent: Shiloh Schulte (Chair)

Also Present: Heather Balsler (Town Manager), Bryan Laverriere (Assistant Town Manager/Public Services Director), Christopher Osterrieder (Director, Community Development), Karen Winton (Deputy Director, Community Development), Stephen Houdlette (Director of Economic Vitality) and Merton Brown (Town Clerk)

2. Consent Agenda

The Board next reviewed the following items which the Town Manager deemed to be of a more routine nature.

a. Approve the Minutes of the Board’s Regular Meeting of September 26, 2023;

b. Accept the Following Donations and send letters thanking the donators:

| AMOUNT | FROM | IN BENEFIT OF |
|----------|------------------|--|
| \$100.00 | Cricket Hooper | Kennebunk Fire Society for the Town’s Emergency Fuel Assistance Program |
| \$100.00 | Paulette Burbank | Police Department |
| \$25.00 | Kathleen Penna | Kennebunk Dog Park |
| \$25.00 | Warren Totty | Kennebunk Dog Park |

c. Approve the Following Items for the November 7, 2023 Local and State Referendum Election

- (1) Approve the appointment of Town Clerk Merton Brown as Warden;
- (2) Approve the location and hours of voting:
 - Location: Edward C. Winston Auditorium, 1 Summer Street,
 - Hours: 6:00am to 8:00pm;
- (3) Approve the additional hours for voter registration and absentee balloting:
 - Saturday, October 28, 2023: 10:00am to 12:00pm
 - Sunday, October 29, 2023: 10:00am to 12:00pm
 - Thursday, November 2, 2023: 4:30pm to 7:30pm.

M. Whitehouse reported that the Kennebunk Sewer District sought approval to raise the debt limit for the District from \$30 million to \$55 million, the State Referendum has eight questions and there is no Town referendum.

Motion: To approve the Consent Agenda listed above.

Moved: L. Pratt

Seconded: K. Nedeau

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent (Schulte); the motion passed.

3. Items To Be Signed

There were none.

4. Public Hearings

There were none.

5. Public Comments

There were none.

6. Acknowledgements and Announcements

Staff Additions

M. Whitehouse next reported that the following individuals had been hired as new, full-time employees:

| <u>NEW HIRE</u> | <u>ROLE (DEPARTMENT)</u> | <u>EFFECTIVE DATE</u> |
|------------------|--|-----------------------|
| Shawn Grover | Lister/Appraiser (Assessing) | 10/02/2023 |
| Meghan Rochefort | Admin Assistant (Community Dep.) | 10/03/2023 |
| Colin Ayer | Deputy Chief of Operations (Fire Rescue) | 10/09/2023 |
| Alex Belanger | Firefighter/AEMT (Fire Rescue) | 10/01/2023 |
| Steven Nasta | Firefighter/Paramedic (Fire Rescue) | 10/17/2023 |
| Jamie Mouzas | Firefighter/Paramedic (Fire Rescue) | 10/18/2023 |
| Matthew Dubois | Firefighter/AEMT (Fire Rescue) | 10/19/2023 |
| Nathaniel Jewett | Firefighter/EMT (Fire Rescue) | 10/19/2023 |
| Denise Nessmann | Firefighter/Paramedic (Fire Rescue) | 10/19/2023 |

Board members welcomed these new hires. They also observed that many of the above posts had been approved more than six months ago but could only be filled present day.

7. Time Sensitive Business and Staff Presentations

a. Hear a Summary on Kennebunk’s Property Tax Assistance Program

M. Whitehouse next offered an update on the Town’s Property Tax Assistance Program. Established to provide property tax assistance to residents 62 years of age and over, the program had 39 applicants in this fiscal period. Of the 39 applicants, 38 qualified for assistance. The financial relief granted during this period ranged from \$48.75 to \$300.00. The relief in total amounted to \$9,327.25 for FY23-24.

Whitehouse added that Town Hall staff was now working on the FY24-25 budget and would propose program funding for the next fiscal period at upcoming budget meetings. K. Winton addressed the Board on this topic, as well.

**Program Summary
Years 2019 – 2023**

| | 2019 | 2020 | 2021 | 2022 | 2023 |
|------------------------------------|------------|------------|------------|------------|------------|
| Number of Qualifying Applications | 31 | 30 | 34 | 13 | 38 |
| Total Amount of Assistance Granted | \$5,246.25 | \$5,244.75 | \$6,974.25 | \$3,261.25 | \$9,327.25 |

Further details about the program are available at www.kennebunkmaine.us/taxassistance

8. Old Business

There was none.

9. New Business

Due to technical difficulties in broadcasting a slide presentation for the public, the Board changed the sequence of the agenda items of this portion of the meeting. Article 9c (Code of Ethics) was taken up before Article 9b. Also, due to an error, there was no Article 9a listed on agenda.

c. Code of Ethics

K. Therrien reported that, on the Select Board's behalf, he and M. Whitehouse had met to review the Board's Code of Ethics and ascertain whether any changes or improvements might be appropriate. They compared the Board's Code of Ethics with that used by Cape Elizabeth, Maine. Therrien and Whitehouse also reported that Kennebunk's Charter Commission had prepared a final draft of language covering "Vacancies and Forfeitures" which addressed breaches of a standard Code of Ethics.

Therrien and Whitehouse questioned whether a single Code of Ethics should be adopted by the Select Board as well as all Town committees, boards, and commissions. M. Whitehouse stated that she personally favored a single Code written into the Town's Charter. However, she asked for the views of other Select Board members.

L. Pratt concurred with the "single Code" approach. However, Pratt observed that minor infractions might warrant a different enforcement protocol. For Pratt, the Code of Ethics could be standard, but Codes of Conduct might be tailored to the needs and work of individual committees.

K. Therrien agreed with the idea of a standard Code of Ethics, but opined that creating one with extensive enforcement detail might be counter-productive. W. Ward concurred. Ward said that a standard Code of Ethics should set "direction" for the Town's committees and boards without entering into enforcement minutia.

L. Pratt reminded Board members that Kennebunk was not "re-inventing the wheel." Many communities throughout the U.S. and state of Maine already had long established codes of conduct and ethics. That work should be taken into consideration, she said.

Members ultimately agreed to "write up their thoughts on the matter" and discuss them with the Charter Commission when Select Board and Charter Commission members meet on October 25, 2023. For further information regarding this topic, the public is invited to inspect:

Current Policy: [Kennebunk/Code of Ethics \(PDF\)](#)

Cape Elizabeth's Policy: [Cape Elizabeth/Code of Ethics \(PDF\)](#)

Charter Commission Final Draft: [Vacancies and Forfeiture of Office \(PDF\)](#)

b. Economic Development Committee Priorities

Stephen Sawyer, Chair of the Economic Development Committee (EDC), and Stephen Houdlette, Director of Economic Vitality, next made a brief presentation to the Board describing the Economic Development Committee's proposed work plan for the coming year.

S. Houdlette observed that Kennebunk's economic development work should, *a priori*, address several underlying objectives: (1) promote and protect the reputation of the Town as a place to live, work, and play; (2) understand how non-residential uses serve to improve the "Kennebunk experience" for residents and visitors; (3) endeavor to offer business support; and (4) encourage a culture that spurs investment in our community "with the Town being a partner".

Given these objectives, Houdlette said, the Economic Development Committee specifically proposed to carry out the following projects, planning, and initiatives:

High Level

- Natural Amenities
- Beautification
- Connectivity

Urgent

- “Doing Business” guide
- Business recruitment and expansion
- Business assistance

Looking Ahead

- Economic Strategic Plan
- Downtown Planning
- Lower Village Master Plan

Sawyer and Houdlette asked Board members if they wished to change the priority of the projects cited above and/or add or delete any.

W. Ward asked what kinds of businesses were targets for recruitment. S. Houdlette replied that businesses serving consumers and businesses serving other businesses would be identified.

M. Whitehouse asked for an explanation of the “beautification” priority. S. Houdlette explained that Kennebunk’s downtown flowers and landscaping were, for example, important hallmarks of “the Kennebunk image”. There were, however, landscaping gaps to be filled.

K. Nedeau opined that business outreach as well as the “Doing Business in Kennebunk” guide were important deliverables. She asked what other “low-hanging fruit” or easy-to-achieve improvements were feasible. Sawyer and Houdlette responded that some development initiatives could be undertaken with grants and volunteer help, new bus service had been initiated and could perhaps be expanded, and past TIF-funded development plans should be revisited. The Town, S. Sawyer added, should continue its connectivity campaign, as well.

L. Pratt encouraged the EDC to incorporate climate-change considerations into its plans and initiatives. For example, having more electric charging stations in Kennebunk, she said, might also be an important goal.

K. Nedeau encouraged the EDC to have delegates attend the meetings of other Town boards and committees to ensure that the EDC’s planning priorities aligned with those developed by other groups.

W. Ward summarized the Select Board’s sundry views, stating that the Business Guide, business recruitment, and technical improvements were key deliverables which should be given priority attention. M. Whitehouse added that “periodic updates” to the Select Board by the EDC would be important, too.

10. Select Board Comments

a. Subcommittee Reports:

K. Therrien: The Finance Subcommittee met on October 2 and looked at the Town’s purchasing power and credit card use.

- M. Whitehouse: Reported that she had met with K. Winton to learn how “Social Services” worked at Town Hall and how applications for assistance were actually processed. She commended the work being done.
- M. Brown: The Charter Commission discussed how petition initiatives work in Kennebunk. That Commission’s public forum on the topic had little turnout, but the dialogue about petition initiatives was nevertheless highly productive. The Charter Commission will next discuss forms of government in detail.

b. Board Liaison Reports

- L. Pratt: Reported that the Site Plan Review Board had approved the KKW Water District’s building project at the Board’s September 21 meeting. The Climate Action Plan Task Force is continuing its outreach initiatives.

c. Comments of Individual Select Board Members

- K. Nedeau: Thanked the Police and Fire Departments for their “first-rate” social media outreach.
- L. Trentalange: Flowers from the Town’s flower beds will be available to the public at the Waterhouse Center on October 16 from 3:00-5:30pm.

11. Town Manager Announcements

Town Manager H. Balsler then made the following announcements:

- a. Mill Street Bridge, Repairs Scheduled for 2024** – The Maine Department of Transportation is conducting an on-demand public presentation to discuss the bridge deck replacement of the Mill Street Bridge (Nash Mill Bridge #5756). MaineDOT encourages anyone interested to review their brief online presentation and share your thoughts on this project during the formal comment period from 9/25/23 to 10/13/23. View the presentation at bit.ly/mainedot-meetings.

Balsler also commented on the **Days Mills Bridge Replacement on Route 35**, scheduled for 2025 with comments being accepted from 10/10/23 to 10/25/23.

Both presentations can be viewed at bit.ly/mainedot-meetings.

- b.** The remaining items listed on the agenda were read by Balsler, including tax due dates, upcoming events and special meetings.

12. Executive Session

At 7:52pm, M. Whitehouse formally closed the Regular Meeting and led the Board into Executive Session to discuss the condition, acquisition or the use of real property or interests therein or the disposition of publicly held property where premature disclosure of the information would prejudice the competitive or bargaining position of the Town pursuant to Title 1 MRSA Sec. 405(6)(C).

Motion: **To enter into Executive Session with the Town Manager, Assistant Town Manager/Public Services Director, and Director of Community Development, pursuant to 1 MRSA Sec. 405(6)(C) to discuss the condition, acquisition or the use of real property or interests therein or the disposition of publicly held property where premature disclosure of the information would prejudice the competitive or bargaining position of the Town.**

Moved: L. Pratt

Seconded: K. Nedeau

Vote: **Show-of-hands vote, 6 votes in favor, 0 opposed, 1 absent (Schulte); the motion passed.**

Upon exiting the Executive Session at 8:14pm, the Board stated they had nothing to report.

13. Adjournment

There being no additional comments or topics for discussion, M. Whitehouse adjourned the meeting at 8:15pm.

Motion: To adjourn this meeting.

Moved: L. Pratt

Seconded: K. Nedeau

Vote: Show of hands vote, 6 votes in favor, 0 opposed, 1 absent (Schulte); the motion passed.

Respectfully submitted by,
J. Schlagheck, Clerk

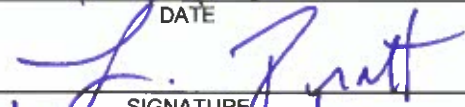
Adopted by the Board at the meeting on _____

10.24.2023

DATE

Signed by

Select Board Member:



SIGNATURE

Lisa Pratt

NAME IN PRINT