

**KENNEBUNK SELECT BOARD MEETING MINUTES**  
**TUESDAY, OCTOBER 11, 2022 – 6:30PM**  
**IN PERSON MEETING, TOWN HALL, 3<sup>RD</sup> FLOOR, 1 SUMMER STREET**

This meeting was held in person and televised on Cable TV Channel 5.  
It is available for public viewing at any time at *TownHallStreams.com*.

**1. Call to Order**

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

**Present:** Select Board Members Lisa J. Pratt [Secretary; Acting Chair at this meeting], Sally A. Carpenter, Leslie G. Trentalange, William Ward, Jr., and Miriam J. Whitehouse (Ward arrived at 6:35pm)

**Absent:** Shiloh A. Schulte [Chair], and Kortney E. Nedeau [Vice Chair]

**Also Present:** Michael Pardue [Town Manager], Chris Osterrieder [Director of Community Development], Joel Downs [Finance Director], Brian Laverriere [Director, Public Services], Merton Brown [Town Clerk], and Karen Winton [Deputy Director, Community Development].

The meeting was held in person in keeping with the Board's COVID-19 safety policy. Effective May 10, 2022, Kennebunk's Select Board elected to hold teleconference or "remote" meetings when the CDC's color-coded COVID infection rating for York County is red ["high"] or yellow ["medium"]. The prevailing rating was green ["low"], so this meeting was held in person.

There were initially four voting members present at today's meeting: Pratt, Carpenter, Trentalange, and Whitehouse. W. Ward, Jr. arrived at 6:35pm

**2. Approval of Minutes**

Acting Chair L. Pratt then led members in a review of the minutes of the Select Board's Regular Meeting of September 27, 2022 and Special Meetings of September 28 and October 3, 2022.

**Motion:** To approve the minutes of the Select Board's Regular Meeting of September 27, 2022.

**Moved:** S. Carpenter

**Seconded:** M. Whitehouse

**Vote:** Show-of-hands vote, 4 votes in favor, 0 opposed, 3 absent [Schulte, Nedeau, Ward, Jr.]; the motion passed.

**Motion:** To approve the minutes of the Select Board's Special Meeting of September 28, 2022.

**Moved:** S. Carpenter

**Seconded:** L. Trentalange

**Vote:** Show-of-hands vote, 4 votes in favor, 0 opposed, 3 absent [Schulte, Nedeau, Ward, Jr.]; the motion passed.

**Motion:** To approve the minutes of the Select Board's Special Meeting of October 3, 2022.

Moved: S. Carpenter

Seconded: M. Whitehouse

**Vote:** Show-of-hands vote, 4 votes in favor, 0 opposed, 3 absent [Schulte, Nedeau, Ward Jr.]; the motion passed.

W. Ward, Jr. arrived at 6:35pm after these approvals. The number of voting members then became five: Carpenter, Pratt, Trentalange, Whitehouse, and Ward, Jr.

### 3. Items To Be Signed

There were none.

### 4. Public Hearing

L. Pratt next opened a public hearing to hear comments on several topics.

#### a. Carry Forward of Unused Funds

Finance Director Joel Downs addressed the Board, observing that, in accordance with Section 3.06(4) of the Town's Charter, the Select Board may, after a public hearing, carry forward funds in accounts with unexpended year-end balances from the then-current fiscal year to the next fiscal year. The books and records for the general fund are nearing closure, Downs said. One of the steps in the carry-forward process is to identify the specific funds to be carried forward from fiscal 2020-21 (as of June 30, 2021) into fiscal year 2021-22 (as of July 1, 2021).

J. Downs circulated a document (attached) showing all unexpended amounts totaling \$370,139.98. This total included \$45,066.20 in carry forwards for boards and committees plus \$325,073.78 for other carry forwards, donations, and grants.

Downs explained that these amounts had primarily been unspent due to COVID. Carrying forward these balances to the next fiscal period, he said, would give the Town a committed General Fund balance of \$1,754,780.99 at 06/30/2021.

W. Ward, Jr. posed questions about several different committees having unspent funds. M. Whitehouse had similar queries about unspent funds earmarked for Skatepark use. Downs explained that most of these funds had, in fact, been deployed, and he explained the carry-forward principle vis-à-vis different fiscal periods.

L. Pratt and J. Downs then solicited public comments or questions, but there were none.

**Motion:** To carry forward fund balances remaining in accounts with unexpended balances from FY20-21 to FY21-22 in the amount of \$370,139.98.

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote:** Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.

### 5. Public Comments

L. Pratt next opened a public hearing for public comments and questions of a general nature. Brenda Robinson, a public commentator, thanked the Board for orchestrating more newspaper visibility for Town events such as HarvestFest. She also reiterated the request she had

made at a prior meeting for the creation of a special steering committee to guide Skatepark improvements.

There being no other public comments or queries, L. Pratt subsequently closed the public hearing.

## 6. Acknowledgements and Announcements

**Interim Town Manager:** L. Pratt next announced that on October 3, 2022, the Select Board voted to appoint Public Services Director Bryan Laverriere to serve as interim Town Manager effective November 12, 2022. The appointment is meant to afford overlap with Town Manager Mike Pardue, who will be retiring from the position on November 11<sup>th</sup>.

During the interim until mid-November, L. Pratt said, B. Laverriere will work closely with Pardue to gain a better understanding of the work performed by the Town Manager. However, B. Laverriere will also continue to serve as Director of Public Works. The Select Board congratulated Bryan on his temporary appointment and urged the public and Town Hall staff to support Bryan as he transitions into the new role.

## 7. Time Sensitive Business and Staff Presentations

The Board then heard several updates and proposals.

### a. Donations

L. Pratt reported that the Town had received the following three donations: (1) \$250 from the William JJ Gordon Family Foundation for Fuel Assistance; (2) another \$250 donation from the William JJ Gordon Family Foundation for Fuel Assistance; and (3) \$150 from the Parsons Beach Association for the Police Department.

**Motion:** To accept the donations and send letters thanking the donors for their generous gifts.

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote:** Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.

### b. Committee Resignation

L. Pratt next reported that Pat Foley had resigned from the Lower Village Committee, a post she had held as a Regular Member.

**Motion:** To accept the resignation of Pat Foley from the Lower Village Committee and send a letter thanking her for her service.

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote:** Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.

### c. Election Items

L. Pratt then directed the Board's attention to sundry requirements for the forthcoming Special Town Meeting and State Election of November 8, 2022.

- (1) **Special Town Meeting Warrant for November 8, 2022:** L. Pratt first commented on the Board's need to approve and sign the Warrant for the Special Town Meeting. A copy of the Warrant had been provided to Board members. It can be found on the agenda for this meeting or at [www.kennebunkmaine.us/election](http://www.kennebunkmaine.us/election).

Pratt enumerated the items contained in the Warrant to be considered by voters:

- Establish a Charter Commission
- Choose six [6] Charter Commission members
- Change the retirement plan for Kennebunk's Police and Fire Departments from MainePERS Special Plan 2C to Special Plan 1C
- Increase the property tax levy limit by an additional \$2.5 million
- Proposed voter approval for \$614,605 of ARPA funds
- Proposed voter approval of the Town's emergency dispatch and public safety answering point (PSAP) service agreement
- Accept Lobster Lane as a Town Way
- Proposed land swap with Garden Street Bowl
- Propose amendments to the Town's Zoning Ordinance, Article 2, Definitions

There were no Board or public questions or comments.

**Motion: To approve and sign the November 8, 2022 Special Town Meeting Warrant as presented.**

Moved: S. Carpenter

Seconded: L. Trentalange

**Vote: Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

- (2) **Warden Appointment:** L. Pratt then asked the Board to approve the Town Clerk's appointment of Frank Nedeau-Slattry as Warden for the November 8, 2022 Special Town Meeting. There were no Board comments or questions.

**Motion: To approve the Town Clerk's appointment of Frank Nedeau-Slattry as Warden for the November 8<sup>th</sup> Special Town Meeting.**

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote: Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

- (3) **Voting Location and Hours:** L. Pratt next cited the location and hours proposed by the Town Clerk for voting as follows:

- Location: Edward C. Winston Auditorium, 1 Summer Street;
- Hours: 6:00am to 8:00pm.

**Motion: To approve the location and hours for the November 8<sup>th</sup> Special Town Meeting as noted above.**

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote: Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

- (4) **Additional Hours for Voter Registration and Absentee Balloting:** L. Pratt also cited a proposal of the Town Clerk to approve additional hours for voter registration and absentee balloting as follows:

- Saturday, October 29, 2022: 9:00am to 2:00pm
- Sunday, October 30, 2022: 9:00am to 2:00pm
- Thursday, November 3, 2022: 4:30pm to 7:30pm

**Motion:** To approve the additional hours for voter registration and absentee balloting for the November 8<sup>th</sup>, 2022 Special Town Meeting as noted above.

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote:** Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.

After the vote, Town Clerk M. Brown affirmed that absentee balloting had already begun this date. He explained ways of registering and voting. A "Voter's Guide", he said, was available online and at the Town Clerk's Office. Staff will visit nursing homes to help senior citizens register and vote. L. Trentalange and W. Ward, Jr. thanked Brown and his staff for their hard work in advance of and during the election period.

**d. Update on the "Kennector" Transportation Program**

K. Winton, Deputy Director of Community Development, addressed the Board next, offering an update on the Town's volunteer transportation program. The "Kennector" program, Winton said, is being managed by the Town's Social Services Department. It affords transportation options to senior citizens and adults with vision impairments or other disabilities in Kennebunk, Kennebunkport, and Arundel.

Winton explained that the program is one of nine pilot programs in the U.S. The Town, she said, enjoys a two-year grant to help plan, organize, and manage volunteer drivers and sponsors to provide transportation to senior citizens and the disabled. A Town Hall staff member oversees the program on a part-time basis. "Modest fees", Winton said, are charged to help defray program costs. However, no one is turned away from the service if they cannot pay.

K. Winton observed that the program has thus far attracted 9 volunteer drivers and provided 20 rides. Recruitment for drivers is on-going. "This neighbor-helping-neighbor project," Winton stated, "is in its infancy...but already working well and providing social connection."

Winton will relate Kennebunk's experience with the program at a national (virtual) conference on the initiative. Board members congratulated Winton and her team for their success. Program information can be found at: [www.kennebunkmaine.us/Kennector](http://www.kennebunkmaine.us/Kennector).

**e. Award Public Services Bids**

L. Pratt then called the Board's attention to the outcomes of different Bid solicitations by the Public Services Department for purchases of three vehicles.

(1) **2023 Sidewalk Tractor:** L. Pratt reported that the Department had received the following bids for the purchase of a sidewalk tractor along with associated implements and an extended warranty. The Town, she said, had budgeted \$200,000.00 for this vehicle.

<u>COMPANY</u>	<u>BID</u>
1. <b>Chadwick Baross,</b> Westbrook, ME Model: 2022 Holder S75	Base: \$196,500.00 <u>Extended Warranty:</u> \$ 13,665.00 <b>Total Bid: \$210,165.00</b>
2. <b>Beauregard Equipment</b> Scarborough, ME Model: 2023 McLean MV5	Base: \$177,876.00 <u>Extended Warranty:</u> \$ 10,000.00 <b>Total Bid: \$187,876.00</b>

3. <b>HP Fairfield</b>	Base:	\$179,573.00
Skowhegan, ME	<u>Extended Warranty:</u>	\$ 8,500.00
Model: 2023 Trakless MT7	<b>Total Bid:</b>	<b>\$188,073.00</b>

B. Laverriere, Director of Public Services, recommended that the bid for the 2023 tractor be awarded to Beauregard Equipment [Bid #2] at a price of \$187,876.00 and includes an extended warranty.

W. Ward, Jr. asked if Laverriere had investigated McLean vehicles, S. Carpenter asked if this purchase had been budgeted, and L. Pratt asked if the tractor was a replacement. B. Laverriere responded in the affirmative to all three queries.

**Motion: To award the bid for a 2023 Sidewalk Tractor to Beauregard Equipment at a price of \$187,876.00 which includes an extended warranty.**

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote: Show of hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

(2) **2022 Excavator:** L. Pratt next reported that the Department of Public Services had received four bids for a new excavator. She cited the below terms of each bid, noting that that the Town had budgeted \$225,000.00 for this purchase.

COMPANY	BID	
1. <b>United Construction and Forestry,</b> Westbrook, ME 2022 John Deere 75G	Base:	\$138,240.00
	Trade-In:	n/a
	<u>Extended Warranty:</u>	\$ 2,358.00
	<b>Total Bid:</b>	<b>\$140,598.00</b>
2. <b>Milton CAT</b> Scarborough, ME 2022 CAT 310	Base:	\$148,898.00
	Trade-In:	(20,000.00)
	<u>Extended Warranty:</u>	\$ 1,750.00
	<b>Total Bid:</b>	<b>\$130,648.00</b>
3. <b>Beauregard Equipment</b> Scarborough, ME CASE CX80C	Base:	\$145,734.00
	Trade-In:	(18,000.00)
	<u>Extended Warranty:</u>	\$ 7,500.00
	<b>Total Bid:</b>	<b>\$135,234.00</b>
4. <b>Chadwick-Baross</b> Westbrook, ME Volvo ECR88D	Base:	\$141,900.00
	Trade-In:	(22,000.00)
	<u>Extended Warranty:</u>	\$ 4,163.00
	<b>Total Bid:</b>	<b>\$124,063.00</b>

The Public Services Director recommended awarding the bid to **Milton CAT** [Bid #2] at a price of \$130,648.00. The bid includes an extended warranty as well as a rebate for trade-in of the Town's 2003 John Deere 80C excavator.

W. Ward, Jr. asked if there were material differences between the Volvo and CAT vehicles, and B. Laverriere explained the pros and cons of each.

**Motion: To award the bid for the 2022 Cat 310 Excavator to Milton CAT at a price of \$130,648.00 which includes Kennebunk's trade-in and an extended warranty.**

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote: Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

- (3) **2024 Single Axle Dump Truck with Plow:** L. Pratt then read the following highlights of the four bids received for a new dump truck with plow. The Town, she said, had budgeted \$180,000.00 for the purchase.

COMPANY	BID
1. <b>Freightliner of Maine</b> Westbrook, ME 2024 Freightliner 108SD+ Body Mfgr: HP Fairfield	Base: \$223,772.00 Trade-In: (6,500.00) <u>Extended Warranty:</u> \$ 2,507.00 <b>Total Bid: \$219,779.00</b>
2. <b>Freightliner of Maine</b> Westbrook, ME 2024 Western Star 47X Body Mfgr: HP Fairfield	Base: \$244,774.00 Trade-In: (6,500.00) <u>Extended Warranty:</u> \$ 5,402.00 <b>Total Bid: \$243,645.00</b>
3. <b>O'Connor Motor Co.</b> Augusta, ME 2024 Western Star 47X Body Mfgr: HP Fairfield	Base: \$231,195.00 Trade-In: (10,000.00) <u>Extended Warranty:</u> \$ 4,646.00 <b>Total Bid: \$225,841.00</b>
4. <b>HP Fairfield</b> Skowhegan, ME Body and plow only; Year: n/a	Base: <b>\$113,936.00</b>

The Public Services Director recommended awarding the bid to **O'Connor Motor Co.** [Bid #3] at a price of \$225,841.00. The bid includes an extended warranty and rebate for the trade-in of the Town's 2008 International 7300 SA Dump Truck with plow.

J. Downs reminded the Board that the Excavator as well as the Single Axle Dump Truck had been authorized by voters when they responded to Article 10, Referendum Question H in Kennebunk's June 14, 2022 Annual Town Meeting. Voters, he said, had specifically approved these two purchases and the outlay of \$405,000.00 for the two vehicles. Downs went on to explain that unspent funds from the purchase of the Excavator could be applied to the purchase of the Dump Truck.

Downs specifically cited the following numbers:

**Annual Town Meeting Authorization for Excavator and Dump Truck/Plow**

Total for both \$405,000.00

**Bids Recently Submitted for the Two Items**

Excavator \$130,648.00  
Truck/Plow \$225,841.00  
Total Outlay \$356,489.00

There were no public or Board comments or questions.

**Motion:** To award the bid for the 2024 Single Axle Dump Truck with Plow to O'Connor Motor Co. at a price of \$225,841.00 to include the Town's trade-in and an extended warranty.

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote:** Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.

**f. Kennebunk's Property Tax Assistance Program**

L. Pratt then read an extract about the Town's Property Tax Assistance Program. The Program was established to afford property tax assistance to persons 62 years of age and older who reside in Kennebunk. Pratt said that there were 13 applicants and all qualified for the Town program, with an average amount of assistance being \$250.87. The total amount of Town assistance granted as of September 9, 2022 for FY22-23 was \$3,261.25.

The amount of tax relief still available in this program is \$10,027.36. Recent activity is summarized below. The balance available for this program, Pratt said, will need to be replenished in the FY23-24 budget for the program to continue in the next fiscal year.

<b>Property Tax Assistance - Carry forward balance (14400-54047)</b>	
Balance carried forward from FY18-19, as of 6/30/2019	20,701.86
Amount used and applied during FY19-20 as reported on 10/8/2019	<u>(5,194.25)</u>
Balance carried forward from FY19-20 to FY20-21	\$ 15,507.61
Amount used and applied during FY20-21 as reported on 10/13/2020	<u>(5,244.75)</u>
Balance expected to be carried forward from FY20-21 to FY21-22	\$ 10,262.86
Amount used and applied during FY21-22 as reported on 10/12/2021	<u>(6,974.25)</u>
Balance expected to be carried forward from FY21-22 to FY22-23	\$ 3,288.61
Additional funds approved from the FY22-23 budget	\$ 10,000.00
Amount used and applied during FY22-23 as reported on 10/11/2022	<u>\$ (3,261.25)</u>
Balance expected to be carried forward from FY21-22 to FY22-23	<u>\$ 10,027.36</u>

No motion was needed.

Detailed program information can be found here: [View Program Summary \(PDF\)](#)

**8. Old Business**

There was none.

**9. New Business**

**a. Road Closures**

L. Pratt reported that the "Seaside Santa Dash" taking place on Saturday, December 10, 2022 would require several road closures. The times, she observed, are subject to change.

- 10:00am to 11:00am: Western Avenue from the intersection of Boothby Road to Beach Avenue.
- During the race, traffic heading toward Kennebunkport from the direction of Wells will be redirected down Lower Sea Road.
- Local traffic will be allowed on Western Avenue from Sea Road to Boothby Road.

**Motion: To approve the road closures as recommended by the Police Department for the Seaside Santa Dash as noted above.**

Moved: S. Carpenter

Seconded: W. Ward, Jr.

**Vote: Show-of-hands vote, 5 votes in favor, 0 opposed, 2 absent [Schulte, Nedeau]; the motion passed.**

**b. Other New Business**

There was none.

## 10. Select Board Comments

### a. Subcommittee Reports

There were none.

### b. Board Liaison Reports

S. Carpenter: The West Kennebunk Village Committee will meet on Thursday, October 13. The Historic Preservation Commission will meet on October 26, followed by a workshop. S. Carpenter will report on both sessions at a future meeting.

L. Pratt The Energy Efficiency & Sustainability Committee will meet on October 27 via Zoom. It continues to hold discussions about the LED lighting project.

L. Trentalange: The Community Garden Committee is concluding its fall work.

M. Whitehouse: The Lower Village Committee did not meet due to a miscommunication. Its next meeting will take place in November.

### c. Comments of Individual Select Board Members

L. Pratt The Community Composting Workshop took place last week at the Library and attracted 13 in-person participants and many more online. L. Pratt also checked with Sanford officials at the Dispatch and Response Center and confirmed that no delays or “busy signals” take place on account of the Center, itself. “However, there may be carrier issues causing delays in some calls getting through,” Pratt said.

L. Trentalange: The Kennebunk High School Marching Band will make its debut appearance (wearing new uniforms) at the HarvestFest Parade.

W. Ward, Jr. Posed questions about the Town’s Halloween plans, and M. Pardue will provide an update at the next Select Board meeting.

M. Whitehouse: Asked the Board to address public concerns about the Skatepark as an agenda item at its next meeting.

## 11. Announcements

Town Manager M. Pardue then made a number of announcements regarding upcoming Kennebunk meetings and events:

a. **Friday, October 14** – real estate and personal property taxes.

b. **Saturday, October 15 – Select Board Outreach** will be held on the 3<sup>rd</sup> floor of the Town Hall from 8:30am to 10:00am.

c. **Saturday, October 15 – HarvestFest** will take place from 9am – 2pm

d. **Sunday, October 16 – Fire Prevention Open House** – 8am – noon at the West Kennebunk Fire Station.

