

KENNEBUNK SELECT BOARD MEETING MINUTES
TUESDAY, OCTOBER 25, 2022 – 6:30PM
TELECONFERENCE MEETING

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

1. Call to Order

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

Present: Select Board Members Shiloh Schulte [Chair], Kortney Nedeau [Vice Chair], Lisa Pratt [Secretary], Leslie Trentalange [Member], William Ward, Jr. [Member], and Miriam Whitehouse [Member]

Absent: Sally A. Carpenter [Member]

Also Present: Michael Pardue [Town Manager], Joel Downs [Finance Director], Brian Laverriere [Director, Public Services and Interim Town Manager], Dan Robinson [Assessor], Chris Osterrieder [Director, Community Development], Justin Cooper [Fire Chief], John Brady [Deputy Chief], and Merton Brown [Town Clerk].

The meeting was held via Zoom in keeping with the Select Board's COVID-19 safety policy. Effective May 10, 2022, the Board voted to hold teleconference or remote meetings whenever the CDC's color-coded, COVID-19 transmission rating for York County was red ["high"] or yellow ["medium"]. As the prevailing rating was yellow ["medium"], this meeting was held remotely via Zoom. Five voting members were initially present. M. Whitehouse joined a few minutes late due to technical difficulties.

2. Approval of Minutes

S. Schulte next led members in a review of the minutes of the Regular Meeting of October 11, 2022.

Motion: To approve the minutes of the Regular Meeting of October 11, 2022.

Moved: K. Nedeau

Seconded: W. Ward, Jr.

Vote: Roll call vote, 4 votes in favor, 0 opposed, 2 absent [Carpenter and Whitehouse], and 1 abstention [K. Nedeau had not attended the 10/11/22 meeting]; the motion passed.

After the vote, M. Whitehouse joined the meeting. The number of members in attendance then became six.

3. Items To Be Signed

There were none.

4. Public Hearing

S. Schulte then opened a public hearing to hear comments on the Warrant Articles to be voted on at the Special Town Meeting on November 8, 2022.

a. Warrant Articles

S. Schulte first solicited public comments and questions on the ten (10) Warrant Articles to be considered by Kennebunk voters at the Special Town Meeting of November 8, 2022. Election information, Schulte said, along with details about the ten (10) Warrant Articles and a Voter's Guide were available on the Town's website at www.kennebunk-maine.us/election. The Articles for consideration specifically were:

- Choose a Moderator to preside at said meetings;
- Decide whether or not to establish a Charter Commission;
- Elect six (6) Charter Commission members if the Commission is approved;
- Change the retirement plan for Kennebunk Police and Fire Department employees from MainePERS Special Plan 2C to Special Plan 1C;
- Increase the property tax levy limit by an additional \$2.5 million;
- Approve \$614,605 of ARPA funds;
- Approve the Public Safety Answering Point (PSAP) service agreement for emergency dispatch calls and response;
- Accept Lobster Lane as a Town roadway;
- Approve the proposed Garden Street Bowl land swap; and,
- Approve the proposed amendments to the Town's Zoning Ordinance, Article 2, Definitions.

Town Clerk M. Brown explained that this was the second of two public hearings required by the Town Charter. However, he noted that this public hearing was for discussion purposes only as no changes to the warrants could be made at this time.

Hearing no comments or questions, Schulte subsequently closed the public hearing.

b. Other Items

There were none.

5. Public Comments

S. Schulte next opened Public Comments to hear comments and questions of a general nature, but there were none.

6. Acknowledgements and Announcements

a. New Hire

S. Schulte next announced that the Town had hired Andrew Small as a full time Maintenance Worker and Truck Driver in the Public Services Department effective October 24, 2022. The Board welcomed Andrew to the Kennebunk community.

b. Halloween "Business Trick-or-Treating"

S. Schulte then reported that the Chamber of Commerce had announced a "business trick-or-treating" along Main Street, in the Lower Village, as well as in Dock Square on Monday, October 31st from 4:00 to 6:00pm. The event will take place "rain or shine". Participating businesses will display pumpkin lanterns.

c. Halloween Traffic Changes

S. Schulte likewise reported that the following road closures would take place for Halloween:

- **Summer Street** will be closed to motorists between Main Street and Depot Street from 5pm to 8:30pm on Monday, October 31st. Those travelling on Summer Street from Lower Village toward Main Street will be detoured onto Depot Street. Traffic going toward Lower Village should utilize alternative routes such as Water Street to Factory Pasture Lane to Depot Street. There will be police officers at both ends of the Summer Street closure.

- **Park Street** will be closed to motorists from Summer Street to Dane Street.
- **Winter Street** will have no parking on either side of the street.

7. Time Sensitive Business and Staff Presentations

The Board then heard several updates and proposals.

a. Donations

S. Schulte reported that the Town had received donations in the amounts of \$150 from the Parsons Beach Association for Kennebunk Fire Rescue and \$100 from Lori and Durward Parkinson for the Community Garden Committee.

Motion: To accept the donations and send letters thanking the donors for their generosity.

Moved: K. Nedeau

Seconded: W. Ward, Jr.

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Carpenter]; the motion passed.

b. Sole Source Purchase of Cardiac Monitors

S. Schulte next informed the Board that Kennebunk Fire Rescue (KFR) sought authorization to replace three (3) "Lifepak" cardiac monitors with new "Zoll" ones. All nearby hospitals routinely receiving patients from KFR, Schulte said, use Zoll monitors. Hence, using the same Zoll equipment would permit seamless transition of care when patients are transferred from Kennebunk ambulances to nearby hospitals.

There are, Schulte additionally observed, three manufacturers of these prehospital cardiac monitor defibrillators:

- **Life Pak 15:** According to a sales representative, this product is in its last version and the company's new model will not be available for two years.
- **Phillips Tempus ALS:** This is Phillips' latest model, but it is not compatible with KFR ambulance equipment. It was, therefore, not endorsed by the KFR's equipment screening committee.
- **Zoll X Series Advanced:** Schulte then reported that KFR had used the Zoll model on a trial basis for 30 days and found it to be the most up-to-date and widely used cardiac monitor defibrillator in the region. It is compatible with hospital Emergency Room devices in the transport district.

Because of Zoll's advantages, Schulte said, KRF specifically sought authorization to (a) waive the Town's Purchasing Policy to allow for the sole source purchase of three (3) monitors, and (b) make the actual purchase from Zoll. Schulte added, KFR had an approved budget of \$150,000 for this purchase in the Town's 2022-23 Capital Budget.

W. Ward asked why there was need for sole sourcing. Deputy Fire Chief J. Brady explained that all three manufacturers sold their products directly to end users without "middlemen". Sole sourcing, Chief J. Cooper added, was the Town's sole option.

S. Schulte opined that "this is a clear-cut case". He solicited public comments and questions, but there were none.

Motion: To waive the Town's Purchasing Policy allowing for the sole source purchase of Zoll Cardiac Monitors for Kennebunk Fire Rescue.

Moved: K. Nedeau

Seconded: W. Ward, Jr.

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Carpenter]; the motion passed.

Motion: To authorize the Town Manager to spend up to \$150,000 for the purchase of three (3) Zoll Cardia Monitors.
Moved: K. Nedeau
Seconded: W. Ward, Jr.
Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Carpenter]; the motion passed.

c. Preliminary 2023 State Valuation Report

The Board then heard a brief presentation by Tax Assessor Dan Robinson regarding a recent property valuation report received from Maine Revenue Services. Robinson explained that the State of Maine issues reports each year on the “mass valuations” of properties in the State’s different communities. These reports are fundamentally used for revenue sharing, he said. This year’s report was based on sales data from July 1, 2020 to June 30, 2021.

In this latest report, Robinson said, Kennebunk ranks among the top five “valuation locations” in York County with property sales in Kennebunk during the above 2020-21 period amounting to \$3.5 billion. This represents a 13.3% increase over the prior reporting period. The effective mil rate, Robinson said, is therefore \$11.37. Kennebunk’s Homestead Reimbursement amounted to \$628,674.

W. Ward, Jr. posed questions about details contained in the report, and D. Robinson explained the meaning and assessment ramifications of several of the numbers. Robinson then went on to develop these points:

- Kennebunk will need to update its own assessment of property values and should create a 2023-24 budget for this labor-intensive work.
- The most recent sales numbers will be used for this valuation exercise.
- The work would be done in a “workshop” with Town Hall staff and, possibly, outside assistance.
- This workshop should take place “in the next several months” once a budget number is established.

M. Whitehouse asked if the recent surge in Kennebunk real estate prices was due to inflation in general. She also asked if a recession in the near future would affect valuations. Robinson responded that many all-cash sales were taking place in bidding wars in many coastal locations, so a recession was not likely to “massively dampen local home values”.

S. Schulte solicited public comments or questions, but there were none. He inquired whether outside assistance might be needed for Kennebunk’s eventual valuation initiative, and D. Robinson re-iterated that the need for such assistance would be considered in the workshop.

8. Old Business

a. Skatepark

Select Board Member Miriam Whitehouse had requested that this item be placed on the agenda. At this meeting, she stated that she had looked over the recommendations forwarded by public commentator Brenda Robinson calling for Skatepark improvements. M. Whitehouse concluded that a committee should be formed as Ms. Robinson had recommended to consider next steps and cost projections. Robust discussion about that prospect ensued.

W. Ward said he was not favorably inclined to create another committee, but called on the Director of Community Development, C. Osterrieder, to opine. C. Osterrieder stated

that a master plan had been created with extensive input from skaters. The master plan divided the work to be done for the Skatepark into three “phases”. A budget was then formulated and funded the work that had been done. There was and is, Osterrieder concluded, additional or “Phase 3” work which could be done, but it might or might not be a priority expenditure for Kennebunk residents.

C. Osterrieder noted that while some residents want to see more concrete surfaces at the Skatepark, asphalt was also used in some areas as a way of containing costs. He suggested that skaters were generally pleased with the use of asphalt as well as concrete.

L. Pratt agreed that users tend to be “quite satisfied” with the Skatepark overall. Her son and his friends are park users, she said. “We also set a budget and honored it,” she stated, “but if a committee is something the public wants, it should be done in a formal way with objectives and a mission statement.” L. Pratt added that a guardrail might be considered at the park according to skater feedback. She re-iterated that users were generally satisfied with the park “as is”.

L. Trentalange countered that there were “a lot of dissatisfied skaters in the community” despite the enthusiastic feedback of a few. The Select Board, she said, should hear the views of more users.

S. Schulte observed that budget limitations always needed to be considered and he questioned how much additional spending for the park would have public support. He nevertheless urged the Board to solicit the views of park users to understand their satisfaction with the phases completed, learn what improvements could be made, and determine what additional or “external” sources of funding for the park could be mustered.

K. Nedeau said she was not sure this project was one of residents’ top priorities judging from email comments and other feedback. “If enough people were dissatisfied,” she stated, “they would show up.” Nedeau therefore had reservations about the need for another committee and related formalities.

W. Ward agreed that a workshop or hearing bringing together park users, park planners, and C. Osterrieder might be beneficial. “But we don’t have the funds to do everything,” Ward cautioned. L. Pratt concurred.

S. Schulte suggested that the Town’s new Recreation Director, Bill Reichl, offer input on his Department’s recreation plans in general. What are Kennebunk’s recreation priorities? Where are we doing well? Where should there be improvements? This kind of information would be a helpful starting point, Schulte said.

K. Nedeau pressed for a workshop “sooner rather than later” with the involvement of B. Reichl as well as park users. L. Pratt countered there were already a number of workshops which the Board was meant to organize.

S. Schulte solicited public comments. Brenda Robinson, a public commentator, acknowledged the importance of prioritizing recreation investments and said she appreciated the direction of this meeting’s conversation. “What’s the big picture?”, Ms. Robinson asked. She concurred with K. Nedeau’s and S. Schulte’s recommendations.

S. Schulte then called on B. Laverriere and M. Pardue to provide, at a future meeting, “a realistic timeline” for the Recreation Director to offer a big-picture overview of Kennebunk’s recreation priorities. Laverriere and Pardue agreed to do so.

b. Composting Committee

The Board was reminded that it had approved the formation of a Composting Committee at its meeting of August 16, 2022. L. Pratt proceeded to recommend the following mission statement, statement of objectives, and membership structure for the new entity.

Mission Statement: The mission of the Composting Committee is to educate the community about the environmental and financial benefits of food waste recycling and seek ways to make composting accessible to all residents, businesses, and institutions. The Committee will promote the removal of organics from the waste system and encourage the composting of food waste at a municipal transfer station and/or at home.

Objectives:

- Provide community education and outreach and be a resource to help residents, businesses, and institutions, such as RSU 21, understand the benefits of food waste recycling and reduction.
- Assist officials of the Town of Kennebunk and RSU 21 in recycling municipal food waste.
- Advise the Select Board on food waste recycling programs and projects that may reduce the amount of solid waste the community generates and therefore reduce the amount of carbon and methane the community produces.
- Offer best practices guidelines on ways to reduce the amount of food waste at municipal and school properties.
- Research, evaluate, and make recommendations intended to result in cost savings to the Town on waste disposal fees.
- Collaborate with the Climate Action Plan Task Force as composting is an important aspect of any community's Climate Action Plan.

Membership: L. Pratt also recommended that the Composting Committee have seven members: five Regular and two Alternate Members – in keeping with the size of most Town committees.

K. Nedeau commended L. Pratt for this work, but had questions about the possible cost savings available to the Town via composting. L. Pratt responded that “reducing garbage tonnage” would curb Town’s costs. However, specific savings targets or projections had yet to be made.

W. Ward asked if all food waste could, in principle, be converted into compost, and L. Pratt answered in the affirmative. “Composting makes black gold from waste...with no downside,” L. Pratt concluded.

Motion: To approve the Composting Committee’s Mission Statement, Objectives, and Membership as noted above.

Moved: L. Pratt

Seconded: K. Nedeau.

Vote: Roll call vote, 6 votes in favor, 0 opposed, 1 absent [Carpenter]; the motion passed.

9. New Business

Beach Parking: W. Ward reported that beach parking was increasingly problematic. A subgroup, he said, should look at this issue. M. Pardue reminded the Board that the Ordinance Subcommittee was poised to advance revisions to the Town’s Parking Ordinance. S. Schulte asked M. Pardue to urge the Ordinance Subcommittee to discuss this topic and offer input and recommendations on revised parking signage. Pardue advised he would work with in-

coming Interim Town Manager Laverriere to schedule a meeting of the Ordinance Subcommittee that is comprised of Select Board members Schulte, Nedeau and Carpenter. Pardue said he believe the work done by the Ordinance Subcommittee over the past two-years has served to set the stage for proposed changes to be implemented in the very near future.

10. Select Board Comments

a. **Subcommittee Reports** - There were none.

b. **Board Liaison Reports**

S. Schulte: The Conservation Commission is working with counterparts in Kennebunkport on an initiative to reduce the use of pesticides in the two communities.

L. Trentalange: The Community Garden Committee produced a total of 4,985 lbs. or 2.5 tons of produce, which it donated to the community.

c. **Comments of Individual Select Board Members**

There were none.

11. Announcements

Town Manager M. Pardue then announced several upcoming meetings and holiday.

- **Tuesday, November 8, 2022 – Special Town Meeting** will take place from 6:00am until 8:00pm.
- **Friday, November 11, 2022 – Veterans Day Holiday:** Due to the holiday, Pardue said, Town Hall offices and the Department of Public Services will be closed. However, the Transfer Station will remain open and trash and recycling pick-up will take place throughout the week as usual.
- **Town Newsletter:** The Town Manager also encouraged Board Members and the public to view the Town’s October Newsletter at www.kennebunkmaine.us/newsletter.

12. Executive Session

There was none.

13. Adjournment

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

Motion: To adjourn the meeting.

Moved: K. Nedeau

Seconded: W. Ward

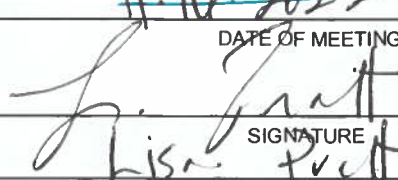
Vote: Show of hands vote. 6 votes in favor, 0 opposed, 1 absent [Carpenter]; the motion passed.

Respectfully submitted by,
J. Schlagheck, Clerk

Adopted by the Board on:

Signed by
Select Board Member:

~~11-16-2022~~ 11/8/22

DATE OF MEETING


SIGNATURE
Lisa Pratt

NAME IN PRINT