

**Town of Kennebunkport
Board of Selectmen Meeting
Village Fire Station, 32 North Street
October 13, 2016 – 6:00 PM**

Minutes of the Selectmen Meeting of October 13, 2016

Selectmen present: Stuart E. Barwise, Patrick A. Briggs, and Allen A. Daggett, and Edward W. Hutchins

Selectmen absent: Sheila Matthews-Bull

Others present: Barbara Barwise, Deborah Bauman, Peter Fellenz, Jules Gerish, Werner Gilliam, Russ Grady, Janice Hanson, David James, David Kling, Allan Moir, Nancy Murray, Arlene McMurray, Becky Nolette, Tracey O’Roak, Marlene Raum, Dan Saunders, Laurie Smith, Amy Tchao and others

1. Call to order.

Chair Barwise called the meeting to order at 6 PM.

- 2. 6 PM-Executive session pursuant to** 1 M.R.S.A. § 406 (6) E to discuss with Town Counsel legal action regarding Goose Rocks Beach and required actions in regard to subdivision regulations for payment in lieu of open space.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to go into executive session per 1 M.R.S.A. § 406 (6) E to discuss with Town Counsel legal action regarding Goose Rocks Beach and required actions in regard to subdivision regulations for payment in lieu of open space. **Vote:** 4-0.

The Board went into executive session at 6 PM and came out at 7:07 PM. No action was taken.

3. Approve the September 22, 2016, selectmen meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Briggs, to approve the September 22, 2016, selectmen meeting minutes. **Vote:** 3-0-1/Selectmen Hutchins abstained because he was not present at that meeting.

4. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)

There were no comments.

5. 7 PM- Public Hearing to consider new application for a Victualer’s License for Murray & Company, 56 Abenaki Way, for a period from October 13, 2016, to May 31, 2017.

Chair Barwise opened the public hearing at 7:07 PM.

Town Manager Laurie Smith mentioned that Nancy Murray is seeking a victualer's license to sell baked goods from her home. She would also like to install a commercial kitchen in her home and needs to go through the Zoning Board of Appeals.

Chair Barwise closed the public hearing at 7:08 PM.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve the new application for a Victualer's License for Murray & Company, 56 Abenaki Way, for a period from October 13, 2016, to May 31, 2017, on condition it meets Zoning Board approval.

6. Joint Public Hearing with the Planning Board on the November 8, 2016, Special Town Meeting ballot items:

Chair Barwise opened the public hearing at 7:09 PM.

David Kling also opened the public hearing for the Planning Board at 7:09.

a. Amendment to the Land Use Ordinance.

David James said the Kennebunkport Resident's Association (KRA) do not take a stand on this amendment, but they sent out the ordinance changes to their members. He read these changes.

Chair of the Growth Planning Committee Dan Saunders said this amendment is consistent with the Comprehensive Plan and was approved by the GPC.

David Kling closed the public hearing for the Planning Board.

b. Fluoride in public water supply.

Janice Hanson, chair of the Campaign to Reconsider Water Fluoridation, explained that there are trace contaminants with the fluoride that are toxic. She went on to explain the dangers of fluoride in the water supply. To prove her point, she passed around a photo of a water district employee who works with fluoride clad in protective clothing such as an apron, gloves up past his elbows, eye goggles, and a face mask (see Exhibit A). She encouraged people to vote "no" on this issue.

Marlene Raum had a question about the rental limits.

Mr. James read information from the KRA that was sent out to its members. Although the information he read did not support fluoridation, he insisted the KRA did not take a stand on this issue.

Jules Gerrish opposes water fluoridation and read the facts against it.

Chair Barwise closed the public hearing at 7:15 PM.

7. Discuss with the Planning Board the treatment of open space in the subdivision review process.

David Kling, chair of the Planning Board, said payment in lieu of open space has happened so infrequently it has not been fully discussed. He stated that since it has come up now, it would be an opportune time to explore this and come up with ideas for the use of funds.

Chair Barwise said he welcomes the opportunity for both boards to get together and brainstorm.

Deb Bauman asked how much money the town would be getting. Ms. Smith responded approximately \$120,000.

8. Update on the FEMA floodplain mapping from the Director of Planning and Development Werner Gilliam.

Mr. Gilliam said that the methodology used in coastal Maine was denied by FEMA in an appeal in Scituate, Massachusetts. As a result, FEMA is revisiting the methodology that was submitted for coastal Maine.

9. Rebecca Nolette, Assessing Assistant, presentation of municipal valuation return.

Ms. Nolette said the Town continues to stay at 100% market value and the quality rating has remained at 15.

10. Approve a Quit Claim Deed for 12 Beacon Acres, Kennebunkport.

Motion by Selectman Daggett, seconded by Selectman Hutchins to approve the Quit Claim Deed for 12 Beacon Acres. **Vote:** 4-0.

11. Consider property tax abatement for Wendy and Heidi Johnston, 20 Wakefield Pasture Rd., Map 9, Block 4, Lot 82, in the amount of \$357.70.

Motion by Selectmen Hutchins, seconded by Selectman Daggett, to approve the property tax abatement for Wendy and Heidi Johnston, 20 Wakefield Pasture Rd., Map 9, Block 4, Lot 82, in the amount of \$357.70. **Vote:** 4-0.

12. Award the bid for the new fire truck through the HGAC bid program.

Fire Chief Allan Moir said he went through the Houston-Galveston Area Coun-

cil (HGAC) bid cooperative for the purchase of a fire truck. He said they worked with representatives from Pierce and Ferrara. They gave the following bid prices with cash in advance:

Pierce \$450,714

Ferrara \$448,288

Mr. Moir and the committee recommended purchasing the truck from Pierce.

Motion by Selectman Daggett, seconded by Selectman Hutchins to purchase the new fire truck from Pierce at a cost of \$450,714. **Vote:** 4-0.

13. Accept \$2,000 donation from St. Ann's Episcopal Church to be dedicated to the Town's fuel assistance program.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to accept the \$2,000 donation from St. Ann's Episcopal Church to be dedicated to the Town's fuel assistance program. **Vote:** 4-0.

14. Other business.

Ms. Smith announced that flu shots were available tomorrow from 10 AM to 2 PM at the Village Fire Station.

Ms. Smith also announced that the Board would go into executive session for a personnel issue.

15. Approve the October 13, 2016, Treasurer's Warrant.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve the October 13, 2016, Treasurer's Warrant. **Vote:** 4-0.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to go into executive session per 30-A M.R.S.A. § 2702 to discuss a personnel matter. **Vote:** 4-0.

The Board went into executive session at 8:10 PM and came out at 9:12 PM. No action was taken.

16. Adjournment.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to adjourn.

The meeting adjourned at 9:12 PM.

Submitted by Arlene McMurray

Exhibit A – October 13, 2016

