

**Board of Selectmen Meeting
August 8, 2019
5:30 PM
Village Fire Station—32 North Street**

Minutes of the Selectmen's Meeting of August 8, 2019

Selectmen Attending: Stuart Barwise, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull

Selectmen Absent: Patrick A. Briggs

Others: Michael Claus, Michael Davis, Werner Gilliam, Paul Hogan, Stefan Kuenzel, Megan McDevitt, Sarah Merriam, Arlene McMurray, Stephen Powell, John Ripton, Chris Simeoni, Harrison Small, Laurie Smith

1. Call to Order.

Chair Daggett called the meeting to order at 5:30 PM.

2. Executive Session at 5:30 PM to discuss MRSA 1, Section 405 6E - Consultations between a body or agency and its attorney concerning the legal rights and duties of the body.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to go into executive session per MRSA 1, Section 405 6E. **Vote:** 4-0.

The Board went into executive session at 5:30 PM and came out at 6:05 PM.

No action was taken.

3. Approve the July 25, 2019, selectmen meeting minutes.

This item was deferred to the next meeting since the quorum who attended that meeting are not present tonight.

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. Consider a renewal liquor license application submitted by Captain Jefferds Inn, LLC, DBA Captain Jefferds Inn, 5 Pearl St.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the renewal liquor license application submitted by Captain Jefferds Inn, LLC, DBA Captain Jefferds Inn, 5 Pearl St. **Vote:** 4-0.

6. Consider a renewal liquor license application submitted by Asador, LLC, DBA The Lost Fire, 62 Mills Road.

Motion by Selectman Barwise seconded by Selectman Hutchins, to approve the renewal liquor license application submitted by Asador, LLC, DBA The Lost Fire, 62 Mills Road. **Vote:** 4-0.

7. Consider annual request from the Rotary Club to rename Dock Square to Duck Square for one day on August 17 for the Duck Race and Riverfest event.

Motion by Selectman Matthews-Bull, seconded by Selectman Barwise, to approve the annual request from the Rotary Club to rename Dock Square to Duck Square for one day on August 17 for the Duck Race and Riverfest event. **Vote:** 4-0.

8. Appoint Tree Warden.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to appoint John Ripton as Tree Warden. **Vote:** 4-0.

9. Consider appointment to the Shade Tree Committee.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to appoint Stephen Powell to the Shade Tree Committee. **Vote:** 4-0.

10. Consider appointments to the Board of Assessment Review.

Town Manager Laurie Smith pointed out that when the Board appointed Ted Baker as an alternate on the Board of Assessment Review, it did not realize there was a vacancy for a full member. Mr. Baker wishes to be a full member.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to move Ted Baker to full member on the Board of Assessment Review for a term expiring in July 2021, and to appoint two alternates: Jean Conaty to a term expiring July 2020 and Harrison Small to a term expiring in July 2021. **Vote:** 4-0.

11. Award loader bid for Wastewater Department.

Deputy Director Chris Simeoni said he received three bids for the Wastewater Department loader. He is also trading in the 2004 John Deere 444.

The three bids received were:

Company	Bid Price	Trade In	Final
Nortrax	\$138,224.00	\$41,500	\$ 96,724
Southworth	\$130,336.00	\$30,000	\$100,336
Beauregard	\$138,200.00	\$31,800	\$106,400

Mr. Simeoni recommends awarding the bid to low bidder Nortrax for \$138,224.00, minus the trade in price of \$41,500 for the John Deere 444, and purchasing the extended warranty. He said a Powertrain Plus Hydraulics Extended Warranty was offered at a cost of \$2,415.00 for 84 months. He said adding the warranty would leave a \$134.00 deficit in their capital replacements budget which could come from the vehicle maintenance operating fund.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to accept the recommendations of the public works deputy director and award the bid for the Wastewater Department loader to Nortrax for the amount of \$96,724 which includes trading in the John Deere 444, and the purchase of the extended warranty for 84 months/4,000 hours at a cost of \$2,415. **Vote:** 4-0.

12. Consider supplemental sewer bills.

Deputy Director Chris Simeoni said two additional properties were discovered containing accessory apartments that were not being billed for wastewater services. He asked for supplemental assessments for 2018 and 2019 for 59 Main St. (\$923.62) and 47 Wildes District Road (\$668.26).

Total supplemental bills are: \$1,823.72 for 2019; \$1,112.64 for 2018; and \$444.00 for 2017.

Motion by Selectman Simeoni, seconded by Selectman Barwise, to accept the recommendation of Deputy Director Chris Simeoni to approve supplemental bills for 2017 in the amount of \$444; 2018 in the amount of \$1,112.64; and 2019 in the amount of \$1,823.72. **Vote:** 4-0.

13. Award the bid for the forestry skid unit.

A forestry skid unit consists of a water tank and pump that will slide into the back of a pick up truck. It is used to extinguish wood and grass fires. Fire Chief Jay Everett solicited bids from four dealers that serve New England. Two responded:

Dealer	Bid
CET Fire Pump	\$19,215.00
Harrison Shrader Enterprise	\$14,735.00

Chief Everett recommends low bidder Harrison Shrader Enterprise.

Motion by Selectmen Barwise, seconded by Selectman Hutchins, to award the bid for the forestry skid unit to Harrison Shrader Enterprise at a cost of \$14,735.00.

Vote: 4-0.

14. Discuss future needs of the fire stations.

Chief Everett gave a PowerPoint presentation showing how the Town's call force has changed over the years since not everyone lives in town anymore. He said the training requirements make it difficult for seasonal firefighters to grow within the department because the Maine Bureau of Labor Standards requires them to start the training over if they haven't responded to fire calls for the 6 + months they live somewhere else.

Chief Everett said the median age of firefighters is 55 and volunteers who work out of town cannot respond to every call like they did years ago when everyone was a town resident. Most fire calls happen between 6:00 AM and 6:00 PM when firefighters are at work and unable to leave their jobs.

There are currently four fire stations, but to keep up with their needs, he said they may need to reduce that number and renovate one of the stations so that there is living space for per diem or full-time staff.

15. Discussion of Ocean Avenue seawall project.

Public Works Director Michael Claus introduced Megan McDevitt, project manager for Woodard and Curran. She gave a Powerpoint presentation of the Ocean Avenue seawall project. She said the two abutters, Kennebunk River Club and John Rinaldi (owner of the Floats), had concerns about the height of the wall and wanted brick sidewalks instead of asphalt. They were open to sharing part of the costs for the sidewalk. They also want the rail dropped in front of Mr. Rinaldi's house. They like the railing used at Dock Square which is \$26,000 more if it went the entire length. She said a brush finish can be fabricated faster. This project is supposed to be completed by the end of November.

Mr. Claus added that the clay brick is slip resistant and that the highway crew does not salt Ocean Avenue.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to use the brush finish for the interior, street-facing wall, and the formed finish facing the river. They authorize the Town Manager to continue to negotiate with the abutters and work with them if it doesn't affect the speed or timing of the project. The abutters can choose whether the concrete wall will be continuous throughout or whether they wish it to be lowered in areas where the guardrail is not required, and that brick sidewalks would be allowed if abutters pay the cost differential.

Vote: 4-0.

16. Consider street opening permit for Christopher and Shannon Ellis, 52 Langsford Road, for underground electrical trench.

Mr. Claus explained that the road was recently paved and an opening would create a trench across Langsford Road. Another option would be to put up a telephone pole for an overhead connection.

The Board tabled this item for now so Mr. Claus can explore other options with the applicant.

17. Authorize Contract with Casella for Solid Waste Collection.

Mr. Claus said the current contract with Casella Waste expires on August 31, 2019. He and intern Sarah Merriam have been working with the Solid Waste Committee to come up with a recycling solution. They have visited Eco-Maine and received prices from Casella. They also checked out the recycling at Kennebunk Sea Road and Ms. Smith checked with Arundel.

Mr. Claus said recycling costs have increased, and to continue with curbside recycling would cost the Town \$60,000. To keep the current cardboard collection at Dock Square and Bradbury's Market would cost an additional \$30,000 from this year's budget. He said the Kennebunk recycling center will accept zero sort (commingled) recycling at \$50/ton from Kennebunkport residents.

Jon Dykstra and Paul Hogan, members of the Solid Waste Committee, expressed their concerns about discontinuing curbside recycling.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to accept the five-year contract proposal beginning September 1, 2109, with Pine Tree

Waste/AKA Casella Waste for solid waste collection and to continue with the current cardboard collection at Dock Square and Bradbury's Market. **Vote:** 4-0.

18. Award Comprehensive Plan RFP.

Director of Planning and Development Werner Gilliam received five proposals for the updating the Comprehensive Plan. The five-member selection committee interviewed three of the consultants and recommended hiring TZM Planning and EF Design & Planning, LLC at a cost of \$89,988, which is within the \$90,000 budgeted for this item.

Motion by Selectman Hutchins, seconded by Selectman Barwise to authorize the contract with TZM Planning & EF Design & Planning, LLC, to update the Comprehensive Plan at a cost of \$89,988. **Vote:** 4-0.

19. Consider a request for FY 2019 carry forwards.

Treasurer Jen Lord and Ms. Smith recommend the balance of \$154,544.04 be carried forward.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to carry forward \$154,544.04 from the fiscal year 2019 budget. **Vote:** 4-0.

20. Other business.**a. Nominate vice-president and Executive Committee members to the MMA.**

Motion by Selectman Matthews-Bull, seconded by Selectman Barwise, to nominate James Gardener, Jr., Town of Easton, as vice-president for a one-year term: and for three-year terms on the Executive Committee: Jon Beekman, Town of Fayette: David Cyr, Town of Mars Hill; and Ivan McPike, Town of Hampden. **Vote:** 4-0.

Selectman Barwise announced that due to his job position out of state, he is resigning as a Selectman because he can no longer fulfill his obligations as a Board member. His effective date is to be determined. The Board congratulated him, thanking him for his years of service to the Town, and presented him with a gift.

21. Approve the August 8, 2019, Treasurer's Warrant.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins, to approve

the August 8, 2019 Treasurer's Warrant. **Vote:** 4-0.

22. Adjournment.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to adjourn. **Vote:** 4-0.

The meeting adjourned at 7:54 PM.

Submitted by Arlene McMurray
Administrative Assistant