

**Town of Kennebunkport
Board of Selectmen's Meeting
Village Fire Station-32 North Street
July 24, 2014 – 7 PM**

Minutes of the Selectmen Meeting of July 24, 2014

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

Others present: David James, Chris Perry, Roger Seavey, Laurie Smith, Arlene McMurray

1. Call to Order.

Chair Daggett called the meeting to order at 7:04 PM.

2. Approve the July 9, and 10, 2014, selectmen meeting minutes,

Motion by Selectmen Barwise, seconded by Selectman Matthews-Bull, to approve the July 9, 2014, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Hutchins abstained because he was not present at that meeting.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the July 10, 2014, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Hutchins abstained because he was not present at that meeting.

3. 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.).

David James thanked Town Manager Laurie Smith and Police Chief Craig Sanford for putting the new electronic mobile speed limit sign in front of Bass Cove Cemetery reminding people that the speed limit is 25 miles per hour once you pass the cemetery. He said it is working very well to slow down traffic.

4. Public Hearing and consideration of an amendment to the Traffic and Parking Control Ordinance regarding Section 2. Parking Control Regulations for:

- **No parking on either side of Community House Road from property located on map 35, block 18, lot 2 to the intersection of Wildwood Avenue Extension.**
- **No parking on the pavement from property located on map 35, block 18, lot 2 to Community House Road and Skyline Drive intersection.**

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to open the public hearing. Chair Daggett opened the public hearing at 7:06 PM.

Vote: 5-0.

Hearing no comments, **motion** by Selectman Barwise, seconded by Selectman Hutchins, to close the public hearing. **Vote:** 5-0.

Chair Daggett closed the public hearing at 7:06 PM.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to approve the amendments to the Traffic and Parking Control Ordinance regarding Section 2. Parking Control Regulations for: no parking on either side of Community House Road from property located on map 35, block 18, lot 2 to the intersection of Wildwood Avenue Extension; and no parking on the pavement from property located on map 35, block 18, lot 2 to Community House Road and Skyline Drive intersection. **Vote:** 5-0.

5. Citizen request for a November Referendum to remove fluoride from the K.K.W. Water District.

Town Manager Laurie Smith received a letter from Jule Gerrish, who initiated this citizen request. She said the water district consists of seven towns and a vote from four towns is required to place this request on the ballot. Five towns did not support this item, so Ms. Gerrish withdrew her request.

6. Award bid for grinder pump replacement for wastewater department.

Wastewater Superintendent Allan Moir said the new pumps have been working well. He would like to continue with Barnes, the sole vendor of these pumps. The cost of purchasing 12 pumps is \$19,140.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to purchase 12 grinder pumps from Barnes at a cost of \$19,140. **Vote:** 5-0.

7. Award the bid for the Fire Department Chief's pick up truck.

Fire Chief Allan Moir solicited bids from eight local truck dealers and received the following bids:

Arundel Ford	\$27,057.00
Prime Motor Group (Toyota)	\$34,020.90
Quirk Chevrolet	\$35,263.00

Mr. Moir recommends awarding the bid to Arundel Ford.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to award the bid for the Fire Chief's pick up truck to Arundel Ford at a price of

\$27,057. **Vote:** 5-0.

8. Approve legal action necessary to address violations of the Waterfront Ordinance at Cape Porpoise.

Ms. Smith explained the violations of the Waterfront Ordinance by Mathew Cluff and asked the Board how it would like to proceed. She said a notice of violation has been sent to him with a deadline of July 31 asking him to address these violations. So far, no response has been received.

Harbormaster Lee McCurdy said he has sent multiple letters trying to contact Mr. Cluff, and it is unfortunate, but something needs to be done. He plans to store the boat at the old salt shed.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to authorize the harbormaster to remove the boat and mooring from the harbor and take any action to enforce the ordinance. **Vote:** 5-0.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to charge a mooring removal/replacement fee in accordance with Section 3.2.2 of the ordinance in the amount of \$600. **Vote:** 5-0.

9. November election items

a. Property tax fairness credit.

Ms. Smith said she became aware of another potential November election item today which has to do with an older plumbing license ordinance. It was established in 1995. She is working with the town attorney and will bring more information at the next meeting.

Ms. Smith said the state repealed the local circuit breaker program and replaced it with a refundable Property Tax Fairness Credit program. When the state made these changes to the statute, it also removed the local authority to have a circuit breaker program. So, the State had to make changes to the statute and created that authority again. Now, the Town must adopt this new program to be in compliance with state law. The Town previously matched up to 50% of the State refund up to \$500. In this new program, the State credit is \$300, or \$400 for those over age 70. The Town has budgeted \$20,000 for this program. She said the Town could increase the match up to 100% instead of 50%. Fifty percent would be \$150.

Three hundred dollars maximum was suggested, but the Board will make a decision at a future meeting.

10. Commitment of the 2014 property taxes and establishment of a tax rate.

Ms. Smith said the valuation increased by \$12 million this year. She said they received the final numbers for the state and county, and the current commitment numbers increase the mil rate by 10 cents. The municipal portion decreased by 5 cents; the education portion increased by 13 cents; the county portion increased by 1 cent; and the overlay portion increased 1 cent. She said last year, the current mil rate was \$7.53. If the Town went with the \$7.63 mil rate, the overlay (which covers abatements and other cash flow issues) would be \$94,657.49. If they selected a mil rate of \$7.60, the overlay would be \$38,326. A third option is a mil rate of \$7.65 with an overlay of \$132,211. She said staff is recommending they go with the \$7.63 mil rate.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to establish a mil rate of \$7.63 per thousand with an overlay of \$ 94,657.49 for a tax commitment totaling \$14, 296,356.41 (It is understood that July 24, 2014, is the tax commitment date.) **Vote:** 5-0.

11. Request to waive tent permit fee for Kennebunkport Consolidated PTA Circus Smirkus event.

Ms. Smith said the Kennebunkport Consolidated School PTA needs a tent for their annual Circus Smirkus event. They are requesting a waiver of the tent fee.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull to approve a waiver of the tent fee for the Kennebunkport Consolidated School PTA for their Circus Smirkus event. **Vote:** 5-0.

12. Accept second installment of \$75,973.67 from Picavet Trust.

Ms. Smith announced that the Town has received another donation from the Picavet Trust. The estate of Marjorie Picavet donated 25% to the Animal Welfare Society, 25% to the Kennebunkport EMS, and 50% to the Town of Kennebunkport.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to accept second installment of \$75,973.67 from Picavet Trust with our gratitude. **Vote:** 5-0.

13. Consider request from the Bike MS Great Maine Getaway to schedule cycling event in town on August 9 and 10, 2014.

Ms. Smith said the Town has given this organization permission in the past.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to grant the request from the Bike MS Great Maine Getaway to schedule cycling event in town on August 9 and 10, 2014. **Vote:** 5-0.

14. Discussion of Pier Road Parking.

Ms. Smith asked if the Board would like to change the parking ordinance on Pier Road to reflect the actual parking practices. By ordinance, parking is allowed between CMP poles J-127 and J-129 (the right hand side heading toward the pier before the Pier 77 parking booth), but the practice has been to park between CMP poles J-126 and J-129 (parking right after the guardrail and continuing to the Pier 77 parking booth), the difference of one pole length.

The Board agreed to pursue this Traffic and Parking Ordinance amendment and set a public hearing for the next meeting.

15. Other business.**a. Letter of support from Senators Collins and King regarding dredging in Cape Porpoise harbor.**

Chair Daggett said both Senators support this dredging.

b. MMA Annual Election for Vice-President and Executive Committee members.

The Board received the list of people on the ballot: Stephan Bunker, selectmen, Town of Farmington for vice-president for a one-year term; and Directors for a three-year term: Laurie Smith; Cynthia Mehnert, councilor, Town of Orono; and Patricia Sutherland, chair of selectboard, Town of Chapman. Ms. Smith said they have a two-term limit, so this would be her last term.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull to appoint the whole slate of officers mentioned above for the MMA Vice-President and Executive Committee. **Vote:** 5-0.

c. Change in Selectmen's Representative to the GPC.

Selectman Daggett agreed to take Selectman Brigg's position on the GPC.

d. Set meeting date for CIP review in September.

At the July 10 meeting, the Board agreed to schedule a meeting for review of the capital improvement plan. Ms. Smith asked when Board members would be available to schedule this meeting.

The Board agreed to have a meeting on September 18 to review the capital improvement plan.

Selectman Briggs wanted to remind everyone about the homeownership oppor-

tunity for a Kennebunkport veteran through Habitat for Humanity of York County.

Selectman Briggs gave an update on the school renovations. There is another meeting on August 4, at 7 PM, at the Kennebunk Elementary School.

16. Approve the July 24, 2014, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectmen Matthews-Bull, to approve the July 24, 2014, Treasurer's Warrant. **Vote:** 5-0.

17. Adjournment.

Motion by Selectman Barwise, seconded by Selectman Matthews-Bull, to adjourn. **Vote:** 5-0.

The meeting adjourned at 7:48 PM.

Submitted by

Arlene McMurray
Administrative Assistant