

Town of Kennebunkport
Board of Selectmen Meeting
June 23, 2022
6:00 PM

MINUTES

Selectmen attending: Jon Dykstra, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull, and D. Michael Weston.

Others attending: Laurie Smith, Yanina Nickless, Werner Gilliam, Christopher Simeoni.

1. Call to Order

Selectman Hutchins called the meeting to order at 6:01 PM.

2. Approve the June 9, 2022 meeting minutes.

Motion by Selectman Matthews-Bull seconded by Selectman Daggett to approve the June 9, 2022, selectmen meeting minutes. **Voted:** 4-0-1. Selectman Dykstra abstained as he was not present at the last meeting. **Motion passed.**

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.)

Becky Nolette, the Tax Assessor, gave the status update on the market adjustment. Vision and Becky have finished the analysis and all the data entry and sent out the notices to all the residents. More so, the information about the market adjustment was posted on the Town's website.

Palmer Higgins, a President of Mainely Grass, raised concerns about the Pesticides ordinance drafted by the Conservation Commission. He was not aware of any educational programs that the Commission put together. Also, the draft of the ordinance was introduced during the last Commission meeting, and the public did not have much time to ask questions.

Michael Dunlay, a resident, also raised concerns about the Conservation Commission's Pesticide Ordinance. He said he did not see proper research supporting the ordinance's basis and need. Michael has also pointed out that the ordinance seemed too intrusive and required people to report what pesticides they would use on their property.

Nina Perlmutter, a resident, talked about the landscapers' parking issues. She referred to the previous Board of Selectmen meeting, where the landscaping workers discussed the parking ordinance and asked for leeway to park on the road. Nina said it was not safe and, as a resident, she wanted to know that emergency vehicles would be able to pass the street and get to the house freely. On the other unrelated note, Nina asked for the community gardens for the residents to socialize.

David James asked if a new mill rate was established yet for the Town based on the new evaluations. Becky said it had not been set yet, and every year it happens in July right before the commitment.

4. Consider the consent agreement for 133 Arundel Road, owned by Martha and Michael Kelley.

Werner Gilliam, the Director of Planning and Development, reminded us that, during the last meeting, the Board voted to consider the consent agreement for 133 Arundel Rd, which was specific to the setback violation for a detached garage. Werner said he was working with the Town attorney to draft the consent. He asked for the authorization so that they could move forward with the paperwork.

Motion by Selectman Weston, seconded by Selectman Daggett, to consider a Consent agreement for 133 Arundel Road owned by Martha and Michael Kelley.
Voted: 5-0. Motion passed.

5. Appointment of Climate Action Plan Task Force

Yanina Nickless, Assistant to the Town Manager, reminded the Board that, in May, Eli Rubin, Community Planner, asked for the authorization to put together a Climate Action Plan Task Force. Since then, the Town has advertised for the Task Force and received five applications. One of the applications came from Jon Dykstra, who, at the time, was not on the Board of Selectmen. Yanina asked to appoint four community members, two Selectmen, and two staff members for the Climate Action Task Force.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull to appoint the Climate Action Plan Task Force (4 community members: Jen Armstrong, Jamie Houtz, Pam Morgan, Jono Anzalone; 2 Selectmen: Jon Dykstra and D. Michael Weston; 2 staff members: Yanina Nickless and Eli Rubin). **Voted:** 5-0. **Motion passed.**

6. Post Office request to move mail drop off.

Laurie Smith, Town Manager, said that the Post Office has requested to move a mail drop-box to a new location because they have more vehicles in their parking lot. The box is located at the exit to the Post Office's parking lot. This means people must drive through the parking lot to drop off their mail. The Postmaster asked for a new location on North Street at the small parking area, which would require the removal of two parking spaces.

No action was necessary. No action was taken.

7. Street opening permit by Dearborn Construction for Old Cape Road.

Chris Simeoni, Public Works Director, informed the Board that, pursuing a notification that we have sent out to all the abutters on Old Cape Road to let them know that the Town will be reconstructing the road, we received a street opening permit.

Motion by Selectman Weston, seconded by Selectman Daggett, to approve the street opening permit by Dearborn Construction for Old Cape Road. **Voted:** 5-0.

Motion passed.

8. Consider an amendment to Chapter 240 – 7.14 of the Land Use Ordinance regarding Residential Rental Accommodations or “Roomers” permit.

Werner Gilliam, Planning and Development Director, said that the Board discussed this during their last meeting and pointed out that this is just another reminder and opportunity to ask any questions. He asked the Board to consider this for the November warrant. This has been discussed at the Zoning Board of Appeals meetings: they are the ones who currently review applications for residential rental accommodations. The proposed amendment is more of an administrative item, which can be handled at the Code Office level without engaging ZBA.

No action was necessary. No action was taken.

9. Discussion of Summer Schedule.

Laurie Smith, Town Manager, reminded the Board that during the past few years, Selectmen had the reduced summer schedule having the first meeting of the month as a regular meeting and the second meeting as the warrant signing only. She also highlighted that the Board would have to have regular meetings in case of emergency.

No action was necessary. No action was taken.

10. Quit Claims on 89 Wildes District Road and 49 Turbats Creek Road.

Laurie Smith, Town Manager, said that earlier this year, we foreclosed on two properties in town (89 Wildes District and 49 Turbats Creek Rd). As a part of a regular process for foreclosures, the Town keeps contacting the property owners to make arrangements for payments. In this instance, the staff successfully got the full payments for both properties, so the staff recommended authorizing the quit claim deeds.

Motion by Selectman Daggett, seconded by Selectman Dykstra, to authorize the quit claims on 89 Wildes District Road and 49 Turbats Creek Road. **Voted:** 5-0.

Motion passed.

11. Consider Treasurer Disbursement Warrant Policy.

This Policy allows any one of the Selectmen to sign Payroll Warrants.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to authorize the Treasurer Disbursement Warrant Policy. **Voted:** 5-0. **Motion passed.**

12. Consider appointment of Interim Treasurer.

Laurie Smith, Town Manager, reminded the Board that Denise Brown's last official day was last Friday, June 17, even though she is still helping the town while we are looking for a new Finance Director. Laurie requested to be appointed as the Interim Treasurer in the meantime.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to appoint Laurie Smith as the Interim Treasurer. **Voted: 5-0. Motion passed.**

13. Accept \$100.00 from an anonymous donor dedicated to the general nurse's account.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept \$100.00 from an anonymous donor dedicated to the general nurse's account. **Voted: 5-0. Motion passed.**

14. Other Business.

There was no other business.

15. Approve the June 23, 2022, Treasurer's Warrant.

Motion by Selectman Hutchins seconded by Selectman Daggett to approve the June 23, 2022, Treasurer's Warrant. **Voted: 5-0. Motion passed.**

16. Executive session per (MRSA 1, §405-6E) for consultation with the Town attorney to discuss legal rights and duties.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to go into the executive session. **Voted: 5-0. Motion passed.**

No other actions were taken during the session.

17. Executive session per (MRSA 1, §405-6E) for consultation with the Town attorney to discuss legal rights and duties.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to go into the executive session. **Voted: 5-0. Motion passed.**

No other actions were taken during the session.

18. Adjournment.

Motion by Selectman Matthews-Bull seconded by Selectman Dykstra to adjourn. **Voted: 5-0. Motion passed.** Meeting adjourned at 8:00 PM.

Submitted by,
Yanina Nickless,
Assistant to the Town Manager