

Town of Kennebunkport
Board of Selectmen Meeting
January 12, 2023
6:00 PM

MINUTES

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

1. Call to Order.

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

2. Approve the December 22, 2022, meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull to approve the amended December 8, 2022, selectmen meeting minutes. **Voted:** 5-0. **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.)

No one in the community room nor attending via Zoom came forward.

No motion was necessary. No motion was taken.

Chairman Hutchins elected to re-order the agenda and address item 7 now so as not to make the applicants sit through other lengthy agenda items.

7. Consider Street Opening Permit for South Main Street.

Public Works Director Chris Simeoni provided an overview. Applicants are requesting a street opening on South Main Street for a new water main to go down to Woodland Drive. An announcement of the repaving of South Main Street was sent on August 2nd, 2022, and the repaving happened on September 28th 2022. No responses were received to the announcement. By ordinance there is a moratorium that the road will not be opened within 5 years of paving.

The applicant said he never received the announcement letter at his Yarmouth address though he has received other Town mailings. Jack, representing Woods Excavating said the bond for this job would be increased from \$2,000 to \$7,500 and that they would pave the full width of the road, 25 feet out in both directions from the trench for a total of 50 feet. The Selectmen expressed concern about cutting into the road and asked Chris Simeoni for his opinion of Woods' proposal. Chris said that he was OK with it, and

it was the best option under the circumstances. Jack went on to relay from a well driller the opinion that a well would draw brackish water and would need to be treated for a significant up front and annual cost. Selectman Hutchins countered that well efficacy varies based on location and depth of the well.

Chris Woods, owner of Woods Excavation said they already had a significant amount invested in pipe and blasting and was willing to own the trench path for 5 years. Duncan McDougal, the general contractor, reported he had spoken with the KK&WWD and with Werner Gilliam, but no mention had been made about this road paving. Selectman Hutchins responded that it is not the Town's responsibility to notify all area developers about road paving.

Discussion among the Selectmen followed regarding how to permit this request but not set a precedent of breaking the moratorium. Chris Woods proposed a 5-year bond for \$15,000.

Motion by Selectman Dykstra that the Town permit the requested opening of South Main Street by Woods Excavating on the conditions that it be repaved 25 feet in both directions from the cut and that it be protected by a 5-year bond in the amount of \$15,000 with condition of the road to be determined by the Town; seconded by Selectman Daggett. **Voted: 5-0. Motion passed.**

4. Audit presentation by Casey Leonard of RKO for FY 2022.

Town Finance Director Nicole Evangelista said that the FY 2022 audit was conducted in October and had gone very well with expenditures under projected budget and revenues were over budget. She introduced Casey Leonard of RKO, who did the audit presentation. The audit was completed on December 21st. The Town received an unmodified, clean opinion with no material weaknesses or significant deficiencies.

Mr. Leonard also noted that in FY 2021 the Town submitted its financial statements to the Governmental Financial Officers' Association for participation in their Annual Comprehensive Financial Report (ACFR) Program where it received a Certificate of Excellence in Financial Reporting. Kennebunkport was one of twenty Towns that received this distinction out of a possible two hundred local governments.

The total fund balance decreased \$448,737 in FY 2022 compared to FY 2021. Revenues were \$546,292 over budget, due in part to greater than expected excise taxes, revenue sharing, building permits issued, and short term rental fees. Expenditures were \$1,231,977 under budget, due in part to lower than expected costs for administration, planning & development, unneeded tax abatements, vacancies in the

police department, and committed funds which are not expended until their intended use.

Mr. Leonard saw no real trend in change of revenue distribution over the past several years. General fund expenditure distribution was also quite consistent from FY 2021 to FY 2022 with Education being the largest component at about 50%.

Selectman Weston had some questions about the \$6 million wastewater bond and if the Town should fund depreciation. Chris Simeoni agreed that this should be looked at.

Motion by Selectman Weston, seconded by Selectman Dykstra, to authorize the permits. **Voted: 5-0. Motion passed.**

5. Consider Annual Transfer to Capital Reserve Fund balance.

Nicole Evangelista informed the Board that in accordance with Town fund balance policy she recommends that the Board move funds in excess of 18% of budget from the general fund to the capital improvement fund. This amount is \$468,351, which will leave the capital improvement fund with a balance of \$1.1 million.

Motion by Selectman Dykstra, seconded by Selectman Weston, to transfer the funds as recommended. **Voted: 5-0. Motion passed.**

6. Presentation of Capital Improvement Plan.

Town Manager Laurie Smith Explained that this presentation is the beginning of our budget process, and that the plan is a living document that's expected to change within the year. This is a 5-year plan, not a budget. The FY 24 budget will be derived from the plan. The following items were presented by various Town departments:

- Administration
 - Records Preservation - \$7,000
 - New Town Hall Construction - \$4.5 M
- Fire
 - Replace Engine 12 - 1997 PV - \$765,000
 - Firefighter PPE - \$22,000
 - Replace Ladder 34 - \$1.4 M (Kittredge Fund)
 - Village Fire Station Design - \$120,000
- Parks and Recreation
 - Park Amenities Phase 1 (Parson's Field & Fireman's Park)
 - Replace Bus (FY 25) - \$75,000
 - Public Boat Launch Site (FY 25) - \$500,000
 - Village Parcel Trails (FY 27)

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- Cape Porpoise Pier
 - #1 Hoist Replacement - \$7,500
- Police
 - Replace Cruiser Video Server - \$13,000
 - Repair Roofline and gutters at PD and Nurse's Office - \$15,000
 - Replace Grinder Pump (sewerage from Nurse's Office) - \$6,000
 - Replace 2018 Cruiser (Dodge with Ford Hybrid) - \$65,000
- Public Works – Road Improvements
 - Wildes District Rd and other overlays (FY 24) - \$966,000
 - Wildes District reclaim and West, Oak, Locke resurface (FY 25) - \$850,000
 - River Rd, Wildes District resurface and other (FY 26) - \$810,000
 - Road overlays (FY 27) - \$453,000
 - School St. reconstruction & Washington Ct. overlay - \$725,000
- Public Works – Equipment replacement
 - Replace 2012 International Workstar SA - \$260,000
 - Replace 2006 F-250 4X4 - \$70,000
 - Replace tires on John Deere 544 Loader - \$18,000
- Public Works - Special Projects
 - Government Wharf Beach Landing Ramp - \$25,000
 - Pier Road Reconstruction & Sidewalks - \$2.6 M
 - Acquisition of Automated Waste Collection Bins - \$310,000
 - Purchase of LED Streetlight Fixtures - \$250,000
 - Ocean Ave Resiliency – Wandby Area (future)
 - Head of the Harbor Resiliency Project (future)
- Wastewater
 - Pump Station Replacement
 - SCADA & PLC Replacement - \$170,000
 - Control Panels – Pumps, Chemical Feed, Blowers - \$280,000
 - Aeration Tank Bridges for Mixers - \$60,000
- CIP FY 24 Total - \$7.9 Million
 - Funding Sources
 - Grant - \$2.5 Million
 - Budget - \$3.769 Million
 - Trust Fund - \$765,000
 - Reserve - \$900,000
- CIP FY 24-28 Total \$37.6 Million

Laurie Smith stated that she will need the Board's input regarding the budget and bonding for the future projects. She also listed various bonds that are maturing in the next few years.

No motion was necessary. No motion was taken.

8. Accept donations to the emergency fuel fund:

- a. \$500.00 from Richard Driver
- b. \$700.00 from Kennebunkport Residents Association
- c. \$1,000.00 from an anonymous donor
- d. \$2,000.00 from Atlantic Hall
- e. \$5,000.00 from the William J.J. Gordon Foundation

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept \$500.00 from Richard Driver, \$700.00 from Kennebunkport Residents Association, \$1,000.00 from an anonymous donor, \$2,000.00 from Atlantic Hall and \$5,000.00 from the William J.J. Gordon Foundation. **Voted:** 5-0. **Motion passed.**

9. Accept \$50.00 from Barbara Cameron and the Madonna Chapter 144 towards the emergency food fund:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept \$50.00 from Barbara Cameron and the Madonna Chapter 144 towards the emergency food fund. **Voted:** 5-0. **Motion passed.**

10. Accept a \$700.00 donation from the Kennebunkport Residents Association towards the general nurses' account:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$700.00 donation from the Kennebunkport Residents Association towards the general nurses' account **Voted:** 5-0. **Motion passed.**

11. Other business.

None of the Selectmen nor Town Manager Laurie Smith had any other business to discuss.

No motion was necessary. No motion was taken.

12. Approve the January 12, 2023 Treasurer's Warrant.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the December 20, 2022, Treasurer's Warrant. **Voted:** 5-0. **Motion passed.**

13. Adjournment.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett to adjourn. **Voted:** 5-0. **Motion passed.** Meeting adjourned at 8:01 PM.

Submitted by,
Dave Powell,
Technology Specialist