

Town of Kennebunkport
Board of Selectmen
April 13, 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 6:00 PM, noting that agenda item #6: Review of Parks Master Plan Concept Design has been tabled and will not be discussed in this meeting.

April Dufoe called the Budget Board meeting to order, noting that eleven board members were present.

2. Approve the March 23, and March 30, 2023, selectmen meeting minutes:

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the March 23, and March 30, 2023, selectmen meeting minutes. **Voted:** 5-0. **Motion passed.**

Chairman Hutchins noted that Town Manager Laurie Smith is attending tonight's meeting via Zoom as she is attending a conference in Burlington, VT.

Budget Board Chair April Dufoe asked that their last meeting's minutes be approved.

Motion by Budget Board member Bob Wester, seconded by David James, to approve the minutes of the previous Budget Board meeting. **Voted:** 10-0-1. (Dan Beard abstained because he was not present at the previous 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.):

No one came forward with any issues.

No motion was necessary. No motion was taken.

4. Review of the St. Ann's easement deed for the June warrant:

Laurie Smith recapped that there has been deterioration in the St. Ann's seawall, and the Board of Selectmen have approved placing an easement deed on the June warrant allowing St. Anne's to maintain, repair and replace seawall at a maximum height of 18 feet. Selectmen Weston asked what the "consideration paid" in the language of the deed refers to. Laurie said she would clarify that with the attorneys.

Motion by Selectman Weston, seconded by Selectman Daggett, to approve the easement deed as discussed, with clarification from the Town Attorney. **Voted:** 5-0. **Motion passed.**

5. Review and vote on the proposed warrant articles for Town Meeting in June:

Laurie highlighted question #6 in the warrant to purchase property on Langsford Road for a boat ramp, noting that this needs to be approved by both Boards.

Motion by Selectman Dykstra, seconded by Selectman Matthews-Bull, to approve the agreement to purchase land on Langsford Road for a boat ramp. **Voted:** 5-0. **Motion passed.**

Budget Board Dan Beard brought up concerns about the monitoring and management of the boat ramp. Selectman Hutchins replied that the boat ramp would be permitted only for Town residents and mooring holders, and that a system will need to be set up to control access. Dan questioned the need to have the Town purchase the land, which initiated some discussion with the Board. Selectman Weston noted that the committee which selected the site would continue and address these issues. Budget Board member Bob Wester voiced his support for the purchase, citing the convenience of a boat ramp as he currently has a mooring in Wells and has to truck his car to Wells to put it in the water, unless he pays a fee to do so on the Kennebunk River.

Vote taken by the Budget Board to approve the agreement to purchase land on Langsford Road for a boat ramp. **Voted:** 10-1. **Motion passed.**

Laurie Smith referred to Article 2 of the Warrant relating to housekeeping articles, requesting a vote from the Board of Selectmen.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve Article 2. **Voted:** 5-0. **Motion passed.**

Laurie Smith then called attention to Article 3 dealing with tax abatements and applying and expending funds from various revenues or grants that might come our way. A vote from both the Selectmen and the Budget Board is needed.

Motion by Selectman Daggett, seconded by Selectman Dykstra, to approve Article 3. **Voted:** 5-0. **Motion passed.**

Motion by Budget Board member Bob Wester, seconded by Allen Evelyn, to approve Article 3. **Voted:** 11-0. **Motion passed.**

Next Laurie cited Article 4 which authorizes the Tax Collector to take pre-payments and allows the Town to accept easement deeds and unconditional gifts. A Selectmen vote is needed.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept Article 4. **Voted:** 5-0. **Motion passed.**

Laurie explained that votes have already been taken for Articles 5 through 10. Article 11 deals with the revenues discussed in the budget process; the \$3.7 million including the changes to revenue that the Selectmen discussed after meeting with the Budget Board. It also relates to the use of \$200,000 from the undesignated fund balance and the \$600,000 from capital reserve funds. This requires a vote from both the Selectmen and the Budget Board.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull to accept Article 11. **Voted:** 5-0. **Motion passed.**

Motion by Budget Board member David James, seconded by Ki Leffler, to approve Article 11. **Voted:** 11-0. **Motion passed.**

Laurie informed the Selectmen that Article 12 is to ratify the gift of a new pumper truck from Kittredge funds when it arrives.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve Article 12. **Voted:** 5-0. **Motion passed.**

Motion by Budget Board member Dan Beard, seconded by Allan Evelyn, to adjourn the Budget Board. **Voted:** 11-0. **Motion passed.**

6. Review of Parks Master Plan Concept Designs: Postponed

7. Enterprise budget presentations:

- a. Recreation Special Revenue Budget – Parks and Recreation Director Stephanie Simpson presented information about program revenue sources and expenses. The net program income for FY 24 is projected at \$414,203. The after-school program serves 105 students out of a total of 165 students at Consolidated School. The net budget is \$95,628 with a transfer out of \$60,000 to the General Fund.

Motion by Selectman Matthews-Bull, seconded by Selectman Weston, to accept the Recreation Special Revenue Budget. **Voted:** 5-0. **Motion passed.**

- b. Wastewater Budget – Public Works director Chris Simeoni provided a summary of the operations of the Wastewater Treatment Facility, noting the infrastructure reinvestment done over the past six years. They have replaced the Chick’s Creek and Green Street Pump Stations, the headworks influent and effluent pumps and the plant’s emergency standby generator; and have rehabbed both circular clarifiers. Construction has begun on the Cape Porpoise, Paddy Creek & Wildes District Road Pump Stations. Engineering is underway on replacing the 45-year-old belt filter presses. New centrifuges have been manufactured and are awaiting delivery. But much infrastructure reinvestment needs to be done to replace aging

components that are at risk of failing, including the PLCs (Programmable Logic Controllers), the SCADA system and mixer bridges. Eric Labelle commented further that the goal is to get to a point where we are achieving operating capital of \$500,000 to \$600,000 annually to reduce the need for bonding groups of multiple, smaller projects with a lifetime that is less than the typical 20 year bond, and to have a reserve to deal with an emergency equipment failure. Chris elaborated that they are seeking an increase of 14% to the sewer use rate, increasing the FY 23 rate of \$499.52 to \$569.87 for FY 24. The goal is to gradually increase the sewer rate over the next five years to allow fewer funds to be taken from the investment fund and sewer fund.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept the Wastewater Budget. **Voted:** 5-0. **Motion passed.**

- c. Cape Porpoise Pier Budget – Harbormaster Frank Orr had a brief presentation. He expects the Cape Porpoise Pier membership numbers to be pretty steady for the next year. There are 211 moorings in Town waters, with 44 requesters on a waitlist. Priorities for FY 24 are: supporting the Cape Porpoise Pier rehabilitation project, inventory and plotting of moorings in Town waters, development of the public boat launch proposed on Langsford Road, supporting existing and promoting new development of aquaculture, and long term optimization of Town anchorages. Expenses are the upgrade to the pier office phone system, the addition of a second dumpster with three pickups a week in high season, the implementation of online mooring software, increased fuel costs, and increased building expenses related to the Pier renovation. The Pier Advisory Committee voted unanimously to pass the budget.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept the Pier Budget. **Voted:** 5-0. **Motion passed.**

- d. Dock Square Parking Lot Budget – Laurie Smith stated that the conservative revenue projection was for \$500,000 this year. The expenses include salary and wages for police officers who work the Dock Square area, parking lot attendants and attendants at Cape Porpoise Pier, maintenance of the parking lot machines and credit card fees, and the transfer out of \$360,000 to the general fund (including dock square general fund expenses, capital expenses of sidewalk repair and the repaving of Pearl and Elm Streets). A net increase of funds to the Dock Square fund of \$43,000 is expected.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept the Dock Square Parking Lot Budget. **Voted:** 5-0. **Motion passed.**

- e. Government Wharf Budget – Laurie Smith said the Government Wharf Committee is looking for a slight increase in membership dues. Lobstermen would see an increase from \$450 to \$500, commercial dues from \$275 to \$300, base dues from \$175 to \$200, and student dues from \$125 to \$150. This is expected to bring in a total revenue of about \$11,000. The majority of the expenses are due to electricity for the condenser units, hoists, lights etc. We do have Internet at the facility and hope in the next several months to install a webcam with a view of the mouth of the Kennebunk River, and security cameras for Government Wharf to be funded by the York County EMA Office. There is also a small amount of funding for pier maintenance.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to accept the Government Wharf Budget. **Voted: 5-0. Motion passed.**

8. Consider fee and permit increases:

- a. Building permit fees – Director of Planning and Development, Werner Gilliam, stated that the residential building permit fee is proposed to be increased from \$10 per \$1,000 to \$12 per \$1,000, effective June 1, 2023.

Motion by Selectman Daggett, seconded by Selectman Dykstra, to increase the building permit fee from \$10 per \$1,000 to \$12 per \$1,000, effective June 1, 2023. **Voted: 5-0. Motion passed.**

- b. Parking violations and late fees – Laurie Smith explained recent changes to fee increases for parking violations since those discussed in the budget process. Credit card fees are \$3. An increase from \$53 to \$60 for Goose Rocks beach had previously been proposed, but that doesn't account for the card processing fee. So that amount is now proposed to be \$65, and the fine for parking violations in other areas of town is now proposed to be \$35, both effective May 1, 2023. Late fees (more than 30 days) have been \$5. Other neighboring communities have charged larger amounts for late fees, in some cases double the original fine. This proposal is to have a one-time late fee of \$20 in addition to the fine amount, effective May 1, 2023.

Motion by Selectman Dykstra, seconded by Selectman Matthews-Bull, to increase the parking violation fine for Goose Rocks Beach to \$65, the rest of town to \$35, and late fee (more than 30 days) to \$20, all effective on May 1, 2023. **Voted: 5-0. Motion passed.**

- c. Goose Rocks Beach permits – Laurie Smith explained that the proposal is to increase the fee for non-resident daily permits only from \$25 to \$30 starting May 1, 2023, and resident seasonal permits be increased from \$5 to \$10 next year, starting on May 1, 2024.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to increase the non-resident daily permits to \$30, effective May 1, 2023 and the resident seasonal permits to \$10, effective May 1, 2024. **Voted: 5-0. Motion passed.**

9. Approve the amendments to Pier Road boat launch conditions:

Laurie Smith recapped that the Pier Road causeway project will elevate the road, affecting the boat launch. The deed with the Stonehaven Drive residents states that if there are substantial changes to the boat launch, they must provide written approval. The Town has been in conversation with them and together have developed criteria for changes in the way the boat ramp will be used. These changes will not go into effect until after the boat ramp is changed due to the road construction.

Motion by Selectman Weston, seconded by Selectman Matthews-Bull, to accept the proposed changes to the boat ramp use, to go into effect when the road construction is complete. **Voted: 5-0. Motion passed.**

10. Appoint Justin Troiano to the Kennebunk River Committee as a Kennebunkport representative with an expiration date of July 2023:

Selectman Hutchins clarified that this appointment is expected to be re-appointed after the current expiration for all Committee members. Justin introduced himself and Selectman Matthews-Bull said she knows Justin and supports his appointment.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to appoint Justin Troiano to the Kennebunk River Committee as a Kennebunkport representative with an expiration date of July 2023. **Voted: 5-0. Motion passed.**

11. Consider the renewal liquor license submitted by the Arundel Marine Service d/b/a Arundel Wharf Restaurant, located at 43 Ocean Ave:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to renew the liquor license submitted by the Arundel Marine Service d/b/a Arundel Wharf Restaurant, located at 43 Ocean Ave. **Voted: 5-0. Motion passed.**

12. Accept a \$50.00 donation from an anonymous donor dedicated toward the Nurses' account:

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$50.00 donation from an anonymous donor dedicated toward the Nurses' account. **Voted: 5-0. Motion passed.**

13. **Accept a \$500.00 donation from Patricia and Larry Keller dedicated towards the emergency fuel fund:**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$500.00 donation from Patricia and Larry Keller dedicated towards the emergency fuel fund. **Voted: 5-0. Motion passed.**

14. **Accept a \$1,000.00 donation from Alisson's restaurant dedicated towards the general assistance fund:**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$1,000.00 donation from Alisson's restaurant dedicated towards the general assistance fund. **Voted: 5-0. Motion passed.**

15. **Other Business:**

None of the Selectmen nor Laurie Smith had any other business.

16. **Approve the April 13, 2023, Treasurer's Warrant:**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the April 13, 2023, Treasurer's Warrant. **Voted: 5-0. Motion passed.**

17. **Adjournment:**

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to adjourn. **Voted: 5-0. Motion passed.**

Submitted by,

Dave Powell,
Technology Specialist