

**Town of Kennebunkport  
Board of Selectmen's Meeting  
August 22, 2013-7 PM  
Village Fire Station, 32 North Street**

Minutes of the Selectmen Meeting of August 22, 2013

**Selectmen present:**, Allen A. Daggett, Edward W. Hutchins, and Sheila Matthews-Bull

**Selectmen absent:** Stuart E. Barwise and Patrick A. Briggs

**Others present:** Michael Davis, Jennifer Feals, Werner Gilliam, David James, Larry Mead, Arlene McMurray, Allan Moir, Roger Seavey, Bob Sherman, and others

**1. Call to Order.**

Vice-Chair Daggett called the meeting to order at 7:01 PM.

**2. Approve the August 8, 2013, selectmen meeting minutes.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the July 25, 2013, selectmen meeting minutes. **Vote:** 3-0.

**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).**

There were no comments.

**4. Communication regarding Rinaldi stipulated judgment.**

Town Manager Larry Mead explained that the property located on 8 North Street Rear had an inadvertent setback violation because the Town approved a building permit for construction that did not comply with the Shoreland Zoning setback. John Rinaldi, owner of the property, was seeking a variance which was denied by the Zoning Board of Appeals. As a result, Mr. Rinaldi brought an 80B complaint against the Town. To avoid problems in the future, both parties agreed to a Stipulated Judgment to allow the structures and improvements to continue as they presently exist without expansion or alterations in any way. Mr. Rinaldi agreed to pay a \$1,000 penalty and to pay the Town's attorney fees. Mr. Mead said this item did not require any action from the Board.

**5. Establish new fees for building permits.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to table this item until a full Board is present. **Vote:** 3-0.

**6. Consider proposed warrant articles for the November election:****a. Changes to the Administrative Code.**

Mr. Mead reiterated from the last meeting that the changes are basically housekeeping in committee structures and membership.

**b. Changes to the Kennebunk River Ordinance.**

Werner Gilliam said the Kennebunk River Committee discussed changes but have not come to a resolution as to whether to accept.

**c. Consider acceptance of Squier Lane as a public street.**

Mr. Mead explained that this street acceptance is a request by residents to have the road accepted as a public street.

**d. Consider exchange of land on Goose Rocks Road in order to physically connect two parcels owned by the Town.**

There were no changes from the previous meeting.

**e. Amendments to the Fire Code Ordinance.**

There were no changes from the previous meeting.

**f. Amendments to the GPC Ordinance.**

There were no changes from the previous meeting.

**g. Consider purchase of property adjacent to Parsons Field on School Street.**

Mr. Mead explained that the property is owned by Dick McCabe and is a good location for expansions to the recreation, school, or wastewater treatment plant.

**7. Consider the York County Budget Committees' request for towns to share in the cost of appealing a decision made by the York County Commissioners.**

Mr. Mead said the York County Budget Committee voted to appeal the York County Commissioner's decision to require the Committee to sign an ethics policy on the grounds that the policy is a requirement for employees, and the Budget Committee members are appointed and not county employees. The Committee's other objection to the ethics policy is because it gives the Com-

missioners the authority to invalidate the Budget Committee's decisions and state law gives the Budget Committee final authority over the budget.

Mr. Mead said the Budget Committee is asking municipalities to contribute funds toward the cost of the appeal and Kennebunkport's share according to valuations would be \$604.00.

Selectman Matthews-Bull said they should support the Budget Committee.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to approve the expenditure of \$604 toward legal costs for the York County Budget Committee. Vote: 3-0.

**8. Consider proposal for Town to confirm title of Susan Lewis to a portion of Goose Rocks Beach at 243 Kings Highway in exchange for acceptance by Susan Lewis of the Superior Court's judgment granting a prescriptive easement for recreational use in a form that is acceptable to Town Counsel.**

Mr. Mead asked the Board to table this item indefinitely. He said Susan Lewis changed her mind and is no longer interested in pursuing this proposal.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to table indefinitely the proposal by Susan Lewis. **Vote:** 3-0.

**9. Other business.**

**a. Discuss process for recruiting new Town Manager.**

Mr. Mead said he received 6 proposals to assist in the process of recruiting a new Town Manager:

- Maine Municipal Association
- Rick Dacri
- Michael Wing
- Eaton, Peabody Consulting Group
- Municipal Resources
- Brenner Associates

Selectman Matthews-Bull would like to use MMA for recruitment because they already have a relationship established with them. The other Board members would like to hear the absent members' opinions before making a decision.

Mr. Mead suggested having a special meeting since a full board is not present. He also suggested inviting two or three from this list to that special meeting to give a presentation.

Mr. Mead mentioned that the Maine DOT will be replacing a large culvert on North Street and will shut down the street from September 9 through the 13. He said DOT is in the process of planning a detour.

Mr. Mead mentioned that John Vinagro sent a letter to Senator Dutremble regarding the repeal of the local property tax assistance program. He said Mr. Vinagro received a response to his letter that the Legislature intends to correct this error. This correction will not happen though until January 2014.

Selectman Daggett said the highway department did a great job paving Wildes District Road. Mr. Mead explained that it is only a short-term fix which should last from three to five years, giving them time to seek funding for total reconstruction.

Selectman Daggett mentioned Mr. Mead's decision to move on in his career path to a position in Old Orchard Beach. He wished him well and said he would be sorely missed.

#### **10. Consider the August 22, 2013, Treasurer's Warrant.**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to approve the August 22, 2013, Treasurer's Warrant. **Vote:** 3-0.

#### **11. Executive session per 30-A M.R.S.A. § 2702 to discuss personnel matters.**

Mr. Mead said the executive session is to discuss plans for selecting the interim Town Manager.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to go into executive session per 30-A M.R.S.A. § 2702 to discuss personnel matters. **Vote:** 3-0.

The Board went into executive session at 7:35 PM.

The Board came out of executive session at 7:50 PM.

No action was taken.

#### **12. Adjournment.**

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to adjourn. **Vote:** 3-0.

The meeting adjourned at 7:50 PM.

Submitted by Arlene McMurray, Administrative Assistant