

**Town of Kennebunkport
Board of Selectmen/Assessor's Meeting
Village Fire Station-32 North Street
August 27, 2015 – 6:00 PM**

Minutes of the Selectmen Meeting of August 27, 2015

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

Others present: Barbara Barwise, Deb Bauman, Annette Quezada, Michael Claus, April Dufoe, Werner Gilliam, Paul Hogan, David James, James McMann, David Powell, Roger Seavey, Laurie Smith, and others

1. Call to Order.

Chair Matthews-Bull called the meeting to order at 6:00 PM.

2. 6:00 PM – Executive session per M.R.S.A. 1 §405-6E to consult with the Town Attorney regarding contemplated litigation.

Motion by Selectman Barwise, seconded by Selectman Daggett to go into executive session per M.R.S.A. 1 §405-6E to consult with the Town Attorney regarding contemplated litigation. **Vote:** 5-0.

There was no action taken.

3. 6:40 PM - Executive session per M.R.S.A. 1 §405-6A to discuss town manager's employment contract.

Motion by Selectman Barwise, seconded by Selectman Daggett, to go into executive session per M.R.S.A. 1 §405-6A to discuss town manager's employment contract. **Vote:** 5-0.

The Board came out of executive session at 7:21 PM.

As a result of executive session, **Motion** by Selectman Barwise, seconded by Selectman Hutchins, that if by September 4, a satisfactory agreement between Hidden Pond and the Town of Kennebunkport has not been reached, the Board of Selectmen will suspend their victualer's license the next business day. **Vote:** 5-0.

4. 7:00 PM—Approve the August 11, and 13, 2015, selectmen meeting minutes.

Motion by Selectman Barwise, seconded by Selectman Briggs, to approve the August 11, 2015, selectmen meeting minutes. **Vote:** 3-0-2/Selectmen Daggett and Hutchins abstained because they were not present at the meeting.

Motion by Selectman Barwise, seconded by Selectman Daggett, to approve the August 13, 2015, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Hutchins abstained because he was not present at that meeting.

5. 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 read into the record a letter by the Kennebunkport Residents Association Executive Board regarding the proposal before the Selectmen regarding roomers. The KRA is not taking a stand on this issue, but is asking the Town to fully investigate it and evaluate all of the implications before taking this to the voters. He had an application from Cape Elizabeth that he shared with the Board.

6. Establish the Warrant for the November 3, 2015 election.

a. Amendments to the Animal Control Ordinance.

Town Manager Laurie Smith said the last revisions were organizational and chronological changes. She said the Town Attorney approved these changes.

Barbara Barwise questioned Section B.9. on how an area could be designated seasonal or permanent.

Chair of the Beach Advisory Committee Paul Hogan explained that the piping plovers do not always nest in the same spot. If they come back to the same spot the following year, the Board of Selectmen could declare it a protected area, and the Town would have to put up signs.

Ms. Smith explained that it gives the Board the authority to declare it a limited dog access area.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to put amendments to the Animal Control Ordinance on the November 3, 2015, warrant.

Vote: 5-0.

b. Amendments to the Land Use Ordinance regarding roomers.

Selectman Daggett said this amendment to the Land Use Ordinance regarding roomers is not ready to be put on the Warrant.

Motion by Selectman Barwise, seconded by Selectman Daggett, to not place the amendments to the Land Use Ordinance regarding roomers on the November 3, 2015, warrant. **Vote:** 5-0.

7. Set public hearing date on October 22, 2015, for warrant articles for November election.

Motion by Selectman Daggett, seconded by Selectman Hutchins to set a public hearing date of October 22, to discuss warrant articles for the November 3, 2015, election. **Vote:** 5-0.

8. Award the following bids:

a. Winter sand bid for 2015-2016.

Public Works Director Michael Claus said he only received one bid, which was from Dayton Sand and Gravel. He said their price went up 50 cents per cubic yard from last year.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to award the 2015-2016 winter sand bid to Dayton Sand and Gravel for a fee of \$8.00/cubic yard delivered freight on board to the Town garage. **Vote:** 5-0.

b. Salt purchase bid.

Mr. Claus explained that the salt bid went through the joint bid with SMRPC-GPCOG. They selected the low bid Morton Salt at a cost of \$61.50 per ton.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to award the salt bid to Morton Salt at a cost of \$61.50 per ton. **Vote:** 5-0.

9. Consider request from the DEP to locate an ozone monitoring station on town-owned property located off of Ocean Avenue beside St. Anne's church that would remain year round.

Motion by Selectman Barwise, seconded by Selectman Hutchins to approve the DEP's request to locate an ozone monitoring station on town-owned property located off of Ocean Avenue beside St. Anne's church that would remain year round. **Vote:** 5-0.

Selectman Briggs was concerned about the colored photo in the Board's packet which showed a red ozone monitoring station.

Amended Motion by Selectman Barwise, seconded by Selectman Hutchins to approve the ozone monitoring structure as long as the color of the structure is in keeping with the environment and contingent upon all other approvals. **Vote:** 5-0.

10. Accept anonymous donations in the amount of \$400.00 to the Kennebunkport emergency fuel account in memory of Kathy Jones.

- a. Gift #1 for \$50.00
- b. Gift #2 for \$25.00
- c. Gift #3 for \$50.00

- d. Gift #4 for \$25.00
- e. Gift #5 for \$50.00
- f. Gift #6 for \$25.00
- g. Gift #7 for \$150.00
- h. Gift #8 for \$25.00

Motion by Selectman Daggett, seconded by Selectman Barwise, to accept the anonymous gifts totaling \$400 in memory of Kathy Jones to the Kennebunkport emergency fuel account. **Vote:** 5-0.

11. Meet as assessors to consider the following abatement request:

Property Owner	Location	Map	Blk	Lot(s)	Tax Abatements 2015
Helen Marie Lewand	315 Goose Rocks Rd.	25	4	1	\$805.42
Helen Marie Lewand	Goose Rocks Rd.	25	4	1-C	\$784.63
Helen Marie Lewand	Goose Rocks Rd.	25	5	5	\$117.04
Total Abatement					\$1,707.09

Ms. Smith explained that the reason for this abatement is that the Town had billed the property owner for three lots and the property owner only has one deeded lot. It was an error on behalf of the Town.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the tax abatement as recommended by Assessor's Agenda Donna Moore Hays, for Helen Marie Lewand in the amount of \$1,707.09. **Vote:** 5-0.

12. Other business.

a. LD 1222 update.

Ms. Smith said this bill was proposed by Representative Babbage of Kennebunk, approved by the legislature, vetoed by the Governor, and the veto was overridden by the legislature. However, the Maine Department of Education added an amendment to the bill which said this fixed debt payment schedule can only be used if it lowers the costs to municipalities. This fixed debt payment schedule is restructuring the costs and not lowering them, so they cannot use it.

b. Correspondence from Bill Leffler regarding committee on aging.

Bill Leffler sent a proposal to the Board asking the Town to appoint a committee to study the services and needs of an aging community. Public Health Nurse Judy Barrett feels that there are procedures in place to address most of the needs for seniors. The Selectmen feel that this is an important issue, however they would like Mr. Leffler to do more legwork and come up with a clearer mission before they impanel a committee. They would like him to meet with Ms. Barrett.

Ms. Smith announced a free community balance screening through Coastal Rehab and the Kennebunkport Public Health Department. The screening will be held on Thursday, September 17, from 9 AM to 11 PM, at the Village Fire Station. The phone number to schedule an appointment is 967-4401.

Ms. Smith also announced an Adult/Child CPR & AED class on September 22, at the Village Fire Station, from 6:00 to 9:00 PM. The class is limited to 20 participants. The phone number to register is 967-4401.

13. Approve the August 27, 2015, Treasurer's Warrant.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the August 27, 2015, Treasurer's Warrant. **Vote:** 5-0.

14. Adjournment.

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

The meeting adjourned at 7:58 PM.

Submitted by

Arlene McMurray (Minutes taken via television)
Administrative Assistant

April Dufoe (Minutes taken at the meeting)
Town Clerk