

**Town of Kennebunkport  
Board of Selectmen Meeting  
May 12, 2016  
7 p.m. – Village Fire Station – 32 North Street**

Minutes of the Selectmen's Meeting of May 12, 2016

**Selectmen attending:** Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, and Sheila Mathews-Bull

**Others:** Sarah Adams, Pat Barry, Deb Bauman, Michael Claus, Michael Davis, Sarah Lachance, Arlene McMurray, Bill Nixon, Katie Nixon, Craig Sanford, Lucille Seavey, Roger Seavey, Laurie Smith, and others

**1. Call to Order.**

Chair Matthews-Bull called the meeting to order at 7 PM.

**2. Approve the April 28, 2016, selectmen meeting minutes.**

**Motion** by Selectmen Daggett, seconded by Selectman Hutchins, to approve the April 28, 2016, selectmen meeting minutes. **Vote:** 4-0-1/Selectman Hutchins recused himself as he was not present at that meeting.

**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 not comments.

**4. Consider a renewal malt, spirituous, and vinous liquor license submitted by Jackson Yordon and Alison Riggieri d.b.a. Salt and Honey, 24 Ocean Avenue.**

**Motion** by Selectmen Hutchins, seconded by Selectman Barwise, to approve the liquor license renewal application for Jackson Yordon and Alison Riggieri d.b.a. Salt and Honey, 24 Ocean Avenue. **Vote:** 5-0.

**5. Consider Arbor Day Proclamation.**

Sarah Adams, member of the Shade Tree Committee, read the Arbor Day Proclamation.

**Motion** by Selectmen Hutchins, seconded by Selectman Briggs, to approve the Arbor Day Proclamation. **Vote:** 5-0.

**6. Appoint Patrick Briggs as Tree Warden (term until July 2016).**

**Motion** by Selectmen Daggett, seconded by Selectman Hutchins, to appoint Pat Briggs as Tree Warden for a term expiring in July 2016. **Vote:** 5-0.

**7. Appoint Stephen Doe to the Shade Tree Committee (term until July 2016).**

**Motion** by Selectmen Barwise, seconded by Selectman Hutchins, to appoint Stephen Doe to the Shade Tree Committee for a term expiring in July 2016. **Vote:** 5-0.

**8. Report from Beach Advisory Committee on proposal for plover intern.**

The Goose Rocks Beach Advisory Committee proposed hiring an intern for 10 weeks, 20 hours per week, at \$15 per hour. This would cost \$3,000. The interns are trained by and under the supervision of the Maine Audubon.

**9. Consider request from Beach Advisory Committee to adopt rules to ban drones on Goose Rocks Beach.**

Katie Nixon, member of the Goose Rocks Beach Advisory Committee (BAC), explained that last year on the beach they had negative experiences with drones, and they anticipate there will be more this year. The BAC voted 5-2 to adopt a rule to ban drones. She told of the problems they had last year with drones and discussion followed.

Selectman Briggs suggested they table this item until they receive FAA guidance.

Police Chief Craig Sanford said enforcement is difficult, and he does not know where it will take us in the courts. The FAA has not made a decision on whether it will challenge municipal authority. He asked that people call the police department if there are problems so that they can be documented for future use.

Discussed signage:

- . Chair Matthews-Bull suggested having the BAC come up with words for the signs.
- . Selectman Hutchins suggested "No drones on the beach. Please respect others."
- . Town Manager Laurie Smith said if the signs say something strong, they need a rule or ordinance behind it.
- . Selectman Barwise pointed out that 62 properties who signed the Beach Use Ordinance and Beach Use Agreement would be covered by this. They

do not have control over all of this, and it would be difficult to enforce.

The Board agreed it needs to wait until the FAA rules on this.

#### **10. Discuss dismantling wind turbine near the police station.**

Ms. Smith reported that some of their goals for the wind turbine was to produce at least 80% of the energy and serve as an educational opportunity for the Consolidated School. Unfortunately, the company that built the wind turbine went bankrupt and there were problems with the accuracy of their software for reporting the actual kilowatt usage.

Roger Seavey who lives nearby said the noise from the wind turbines is getting worse as time goes on, and the noise will have a negative impact on his property value if he were to sell his house. He said it is not producing enough electricity to make it worth it. Also, the turbine cannot be fixed now that the company went out of business.

Sarah Lachance, chair of the Conservation Commission, agrees that the wind turbine has gotten noisier—that there is something going on with the mechanics. She said the CMP bills, which conflict with the software data report, indicated the energy production, and that it was a good educational opportunity for the students.

Lucille Seavey said the noise the wind turbine is producing is annoying, especially during the high winds in the wintertime. With more trees coming down for the police department renovations, there will be even less of a noise buffer.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to dismantle the wind turbine near the police department. **Vote:** 5-0.

#### **11. Award bids for police:**

##### **a. Personnel lockers at the police station.**

**Motion** by Selectmen Barwise, seconded by Selectman Hutchins, to award the bid for the personnel lockers at the police station to Tiffin Metal Products at a cost of \$12,715.00. **Vote:** 5-0.

##### **b. Generator at the police station.**

**Motion** by Selectmen Daggett, seconded by Selectman Barwise, to award the bid for the police station generator to Power Point at a cost of \$18,825.00. **Vote:** 5-0.

#### **12. Review of May 10, 2016, Special Selectmen's Meeting.**

Ms. Smith reported that the Board reviewed West Street parking and voted to:

- Move the stop sign at the intersection of North Street and prohibit parking within 20 feet of the sign.
- Remove railroad ties along West Street and replace with reclaim material.
- Prohibit parking at the corner of West and Oak Streets for 20 feet +/-.
- Remove the old sidewalk along Oak Street.
- Repair the pavement at the intersection of Oak and West Streets.

Ms. Smith also reported that the Board reviewed pedestrian improvements at the corner of North and Maine Street and voted to first highlight the crosswalk with more defined bars and color prior to making any other changes.

### **13. Consider amendment to the Retirement Health Savings Plan.**

Ms. Smith explained that the Retirement Health Savings (RHS) Plan allows a specific amount of an employee's excess sick time accrued to be paid into their RHS account to pay for healthcare costs. Initially, the sick time was reviewed in November and then put in the employee's RHS account in December of the following year. She asked the Board to consider authorizing the use of contingency this year to pay the November 2015 balance for employees' sick time instead of waiting until December 2016, which would allow the Town to pay all balances in the current year from then on in.

**Motion** by Selectmen Daggett, seconded by Selectman Hutchins, to amend the Retirement Health Savings Plan to authorize the use of 2016 contingency funds to pay sick-time funds accrued in November 2015 to the Retirement Health Savings Plan and to adopt this amendment to the RHS Plan. **Vote:** 5-0.

### **14. Approve street opening permit application submitted by K.K. & W. Water District to renew and relocate existing water from Summit Avenue 575 ft north toward Endcliff.**

**Motion** by Selectman Hutchins, seconded by Selectman Daggett, to approve the street opening permit application submitted by K.K. & W. Water District to renew and relocate existing water from Summit Avenue 575 ft north toward Endcliff. **Vote:** 5-0.

### **15. Authorization to write-off uncollected parking ticket balances.**

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to write-off uncollected parking ticket balances. Discussion followed.

Selectman Briggs had concerns about writing off tickets for one individual since they were a repeat offender numerous times.

Chief Sanford said the Town ordinance allows for towing after three violations.

Ms. Smith added that the Town's ticketing system is manual, so the officer giving the ticket has no means of checking to see if the violator is a repeat offender.

The Board is concerned with repeat offenders and tabled this item for a future meeting.

Selectmen Hutchins withdrew his motion and Selectman Daggett withdrew his second.

**16. Other business.**

**a. MMA Legislative Policy Committee nomination.**

The Board did not nominate anyone.

Chief Sanford said the police department renovation would begin next week. The normal part of the lobby will be restricted, but there will be signage and access to the building along with parking.

**17. Approve the May 12, 2016, Treasurer's Warrant.**

**Motion** by Selectman Barwise, seconded by Selectman Hutchins to approve the May 12, 2016, Treasurer's Warrant. **Vote:** 5-0.

**18. Adjournment.**

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

The meeting adjourned at 8:25 PM.

Submitted by Arlene McMurray  
Administrative Assistant