

**Board of Selectmen Meeting
September 12, 2019
5:00 PM
Village Fire Station—32 North Street**

Minutes of the Selectmen's Meeting of September 12, 2019

Selectmen Attending: Patrick A. Briggs, Allen Daggett, Edward Hutchins, Sheila Matthews-Bull

Others: Werner Gilliam, Stefan Kuenzel, Arlene McMurray, Tracey O'Roak, Stephen Powell, Chris Simeoni, Harrison Small, Laurie Smith

1. Call to Order.

Chair Daggett called the meeting to order at 5:13 PM.

**2. Executive Session at 5:30 PM to discuss MRSA 1, Section 405 6E -
Consultations between a body or agency and its attorney concerning the
legal rights and duties of the body.**

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs, to go into executive session per MRSA 1, Section 405 6E. **Vote:** 4-0.

The Board went into executive session at 5:13 PM.

Motion by Selectman Hutchins, seconded by Selectman Briggs to come out of executive session. **Vote:** 4-0.

The Board came out of executive session at 5:40 PM.

Chair Daggett announced that the Board received a legal letter from Woodman Edmans Danylik, Austin, Smith and Jacques, P.A., Attorneys-At-Law, concerning 48 Langsford Road (rear lot) construction of walkway on deeded right of way. He said the plan is to discuss this with the Town attorney in executive session.

Selectman Hutchins said his family owns an adjacent parcel to this property, so he is recusing himself from voting as a member of the Board of Selectmen but is able to discuss this as a private citizen with the Planning Board.

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs to go into executive session per MRSA 1, Section 405 6E - Consultations between a body or agency and its attorney concerning the legal rights and duties of the body. **Vote:** 3-0-1/Selectman Hutchins recused himself due to conflict of interest.

The Board went into executive session at 5:45PM and came back out at 6:30 PM.

No action was taken.

3. Approve the August 22, 2019, selectmen meeting minutes.

Motion by Selectman Matthews-Bull, seconded by Selectman Hutchins to approve the August 22, 2019, selectmen meeting minutes. **Vote:** 4-0.

4. 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.

5. Sign the November 5, 2019, Special Town Meeting Warrant.

Town Clerk Tracey O'Roak announced that they must hold a Special Town Meeting to replace Stuart Barwise, who resigned as Selectman. There are two candidates running, D. Michael Weston and Charlie Sullivan.

6. Follow up discussion on pick up and delivery of kayaks on Jefferey's Way.

Chair Daggett said this has been reviewed by the town attorney and the Land Use Ordinance prohibits conducting business on public streets.

Stefan Kuenzel said the Parking Ordinance grants exceptions.

Chair Daggett said the Board can only grant permission for three days. Selectman Hutchins added that ordinance changes must be voted on at town meeting.

7. Consider request to make Grandview Avenue a one-way street, running from Ocean Avenue to South Main St.

The interested party were not able to attend this meeting so the Board will take this up at the next meeting.

8. Update from Assessing on the Market Sales Analysis.

Director of Planning and Development Werner Gilliam said several Requests for Proposals (RFP's) were sent out. The deadline for RFP's is September 20. The review process will begin with interviews scheduled on October 1. They anticipate the project starting in December and continuing through spring. The goal is to have revised values to property owners sometime in May.

9. Consider a street opening permit for Habitat for Humanity, 36 Mills Rd for sewer.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to approve the street opening permit for Habitat for Humanity, 36 Mills Rd for sewer. **Vote:** 4-0.

10. Consider street opening permit for Dino Spugnardi, 26 Windemere Place, for new water service.

There is no way to get water service, but Deputy Director of Public Works Chris Simeoni explained a new alternative. The initial permit request was to dig into the Town right of way, but it was for service that ran parallel to the road. The new request will cross the newly paved Ocean Avenue for service. The homeowner was told that the Board of Selectmen would require a full grind and repaving for 50' of the road.

Motion by Selectman Matthews-Bull, seconded by Selectman Briggs, to approve the street opening permit for Dino Spugnardi, 26 Windemere Place, for new water service. **Vote:** 3-1/Selectman Hutchins opposed due to the moratorium on digging up the road.

11. Award the FY20 salt bids.

Mr. Simeoni explained the salt bids. He recommends awarding the salt bid to Morton Salt at a cost of \$56.16 delivered per ton.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to award the purchase of sodium chloride from Morton Salt at a cost of \$56.16 delivered per ton. **Vote:** 4-0.

12. Update on FEMA flood map appeal.

Mr. Gilliam reported that the Town of Kennebunkport along with other communities involved in the joint project appealed the FEMA flood map. He explained that FEMA denied the appeal due to "a critical error in the engineering analysis provided with the submittal." He added that FEMA did not follow its usual process. They usually have a consultation with the community. He said the next step is to request a scientific resolution panel.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to proceed with a scientific resolution panel. **Vote:** 4-0.

13. Accept a \$250 donation from Cynthia Daley to the nurses general account.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to accept a \$250 donation from Cynthia Daley to the nurses general account. **Vote:** 4-0.

14. Other Business.

Town Manager Laurie Smith said an individual came into her office who was late in

paying taxes and asked about having a grace period. She said she confirmed with MMA that the Board of Selectmen could change the due date. The Board did not wish to change the due date for taxes.

Ms. Smith said the Growth Planning Committee survey showed that important concerns with residents are the environment, energy efficiency, and planning for the rise in sea levels. She and Mr. Gilliam have been meeting with five other towns: Kittery, York, Wells, Kennebunk, and Ogunquit to discuss energy efficiency, carbon footprint impacts, and climate resiliency. They may be able to leverage a \$150,000 grant. The Southern Maine Planning Committee Development Commission (SMPCDC) will write a letter that the Board can consider in October for funding this in January and to put it in the Town's budget process. The Board is supportive.

Selectman Briggs invited the Board to attend KEMS's 40th anniversary on September 15 from 11 AM to 2:00 PM. He said there will be food provided from Ned's Bakes and BBQs.

Ms. Smith announced the Chalk the 'Port event for September 13 and 14. She said there are lots of activities such as a 5 K run, pancake breakfast, a band at night, beer tent, etc. The proceeds benefit the Parks and Recreation Department Scholarship Fund.

15. Approve the September 12, 2019, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Matthews-Bull, to approve the September 12, 2019, Treasurer's Warrant. **Vote:** 4-0.

16. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to adjourn. **Vote:** 4-0.

The meeting adjourned at 7:03 PM.

Submitted by Arlene McMurray
Administrative Assistant