

**Town of Kennebunkport  
Board of Selectmen's Meeting  
September 12, 2013 – 7 PM  
Village Fire Station – 32 North Street**

Minutes of the Selectmen Meeting of September 12, 2013

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

**Others present:** Robert Almeder, Mike Claus, April Dufoe, John Fraser, Werner Gilliam, David James, Larry Mead, Roger Rock, Roger Seavey, and Russ Welch and others

**1. Call to Order**

Chair Barwise called the meeting to order at 7:04 PM.

**2. Approve the August 8, and 22, and September 3, 2013, selectmen meeting minutes**

**Motion** by Selectman Hutchins, seconded by Selectmen Briggs, to approve the August 8, 2013, selectmen meeting minutes. **Vote:** 3-0

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve the August 22, 2013, selectmen meeting minutes. **Vote:** 4-0

**Motion** by Selectman Daggett, seconded by Selectman Briggs, to approve the September 3, 2013, selectmen meeting minutes. **Vote:** 4-0

**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. Consider renewal liquor license application submitted by Sarah Lindblom, DBA Captain Jefferds Inn, 5 Pearl Street**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve a renewal liquor license application submitted by Sarah Lindblom, DBA Captain Jefferds Inn, 5 Pearl Street. **Vote:** 5-0

**5. Establish the Municipal Warrant for the November 5, 2013, election**

**Question 1. (a. on agenda) Amendment to the Kennebunkport Administrative Code**

Town Manager Larry Mead explained the proposed changes to the Administrative Code that include minor changes to municipal departments, appointed officers

and the number of members on certain boards and committees.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Daggett to place the Changes to the Administrative Code, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 2. (b. on agenda) Amendment to the Kennebunk River Ordinance**

Mr. Mead explained the proposed changes to the Kennebunk River Ordinance that will limit the size of a vessel eligible for a mooring in the Kennebunk River and establish rules for assigning moorings that are consistent with state law.

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to place the Amendment to the Kennebunk River Ordinance, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 6. (c. on agenda) Acceptance of Squier Lane as a Public Street**

Mr. Mead explained the warrant question regarding accepting Squier Lane as a public street. The Planning Board, during the approval process, required that Squier Lane be built to town standards. This item would make the town responsible for the maintenance of the street but not for the maintenance of associated street lighting or landscaping.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins to place the Acceptance of Squier Lane as a Public Street, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 7. (d. on agenda) Land Exchange in the Town Forest on Goose Rocks Road**

Mr. Mead explained that the warrant question regarding the exchange of land on Goose Rocks Road authorizes the BOS or its agents to negotiate an exchange of land in order to physically connect two parcels in the town forest near the corner of Log Cabin Road and Goose Rocks Road for recreational and other uses.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull to place the Land Exchange in the Town Forest on Goose Rocks Road question, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 3. (e. on agenda) Amendment to the Fire Code Ordinance**

Mr. Mead explained the proposed amendment to the Fire Code Ordinance that will eliminate several components of the Fire Code that the town does not enforce.

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull to place the Amendment to the Fire Code Ordinance, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 4. (f. on agenda) Amendment to the GPC Ordinance**

Mr. Mead explained the proposed amendment to the GPC Ordinance that will reduce the number of members from 7 to 5.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull to place the Amendment to the GPC Ordinance, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**Question 5. (g. on agenda) Land Purchase on School Street**

Mr. Mead explained the question regarding the purchase of 8 acres of property adjacent to Parsons Field on School Street owned by Dick McCabe, for possible municipal needs to include waste water treatment, school and recreational needs, to be purchased at a cost of no more than \$400,000.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins to place the Land Purchase on School Street question, as written, on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

David James read a letter from the KRA Executive Committee regarding the wording of Question 5. The KRA believes that the Kennebunkport voters should be able to vote on the proposed use of the land purchased if Question 5 is passed, and that language should be added to Question 5 to ensure voter approval.

**Motion** by Selectman Hutchins, seconded by Selectman Daggett to amend Question 5 to include "... and further require the Board of Selectmen to obtain Town Meeting approval prior to initiating any change of use to the property?", on the November 5, 2013, Municipal Warrant. **Vote:** 5-0

**6. Set public hearing date on October 24, 2013, for warrant articles for November election**

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to set the public hearing date on October 24, 2013, for warrant articles for the November election. **Vote:** 5-0

**7. Establish building permit fees**

Mr. Mead requested item 7 to be heard later in the meeting.

**8. Purchase building officials software for the Planning and Development Department.**

Werner Gilliam, Director of Planning & Development, addressed this item. The Building Official Software System, provided by Vision Government Solutions, integrates with the current CAMA assessing software, and will track the building permits process and streamline information sharing throughout departments. The initial cost is \$15,000 and was included in the current budget.

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the purchase of the Building Official software for \$15,000. **Vote:** 5-0

**9. Appoint Werner Gilliam as Code Enforcement Officer and Plumbing Inspector**

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to appoint Werner Gilliam as Code Enforcement Officer. **Vote:** 5-0

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to appoint Werner Gilliam as Licensed Plumbing Inspector. **Vote:** 5-0

**10. Appoint Interim Town Manager John Fraser as Tax Collector**

Mr. Mead introduced John Fraser to the public. Mr. Fraser will begin serving as the interim Town Manager on September 16, 2013.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to appoint John Fraser as Tax Collector. **Vote:** 5-0

**11. Award highway department bids:****a. Front end loader**

Highway Superintendent Mike Claus explained to the Board that each bidder demonstrated the equipment for the highway department crew. The crew favors the 2013 John Deere 544 K Loader as presented by Nortrax Equipment Co. Town Mechanic Russ Welch outlined mechanical issues of each option and stated that he feels Deere has the best parts availability. Roger Rock, representative for Case, pointed out that Case had the low bid. Mr. Mead summarized that over the 20-year lifetime of the machine, when taking into consideration the ease of maintenance, the rear axle disconnect that will add to longer tire life and the Deere corrosion package, the difference in the Deere bid of \$126,500 (which includes a trade-in of \$38,000) vs. the low bid is very small. He also referred to the operators' ratings of the Deere.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to award the bid

for the John Deere 544 K Loader to Nortrax Equipment Co. for a total of \$126,500. **Vote:** 4-0-1 with Selectman Briggs abstaining

**b. Sidewalk snowblower attachment for trackless machine at the highway department**

Mr. Claus and Mr. Welch explained the features of a 2013 Snoquip XX51 Snowblower for the sidewalk tractor. One bid was submitted from HP Fairfield LLC for \$21,750 (which includes a trade-in of \$1,000).

**Motion** by Selectman Hutchins, seconded by Selectman Daggett, to award the bid for a snowblower for sidewalk tractor to HP Fairfield LLC for a 2013 Snoquip XX51 Snowblower for a total of \$21,750. **Vote:** 5-0

**(Back to) 7. Establish building permit fees**

Werner Gilliam, Director of Planning & Development, discussed the revisions to the construction fee schedule that had already been endorsed by both the Board of Selectmen and the Budget Board during the FY14 budgeting process. He stated that the fees have not been overhauled since 2006, and that he compared our current fees to those of seven area towns. Of those compared, our current fees are lower than all but Wells'. The increase was figured into the FY14 Budget for the operation of the Code Enforcement, Planning and Assessing departments.

Selectman Matthews-Bull stated that she believes some of the fees had too much of a change. Selectman Barwise pointed out that with the increases, we are still below neighboring towns. Selectman Daggett pointed out that the fee increases had already been figured into the current budget. Mr. Mead added that the fee increases will add \$40,000-\$45,000 in revenue to the town.

**Motion** by Selectman Hutchins, seconded by Selectman Daggett, to increase the construction fee schedule as presented and to hold the fees at this rate for three years. **Vote:** 4-1 with Selectman Matthews-Bull against

**12. Approve street opening permit for Robert and Linda Zuke for new water service at 108 Old Cape Road**

The Zukes are directing new water service into 108 Old Cape Road after building a house on a lot where a previously existing house had been demolished.

**Motion** by Selectman Daggett, seconded by Selectman Hutchins, to approve a street opening permit at 108 Old Cape Road. **Vote:** 5-0

**13. Consider accepting property at ~~12 Beacon Avenue~~ 0 Guinea Road as a gift to the town**

Mr. Mead explained that the "grass esplanade" lot at 0 Guinea Road (Map 027 Block 002 Lot 018) in front of 12 Beacon Avenue, owned by Thomas V. and Helen B. Knox, is being offered as a gift to the town. The town also owns the lot adjacent to the Know lot. Mrs. Knox and a neighbor currently mow the grass but may not mow it forever. It was pointed out that if the Board accepts the gift, voters will still need to vote on its acceptance at the June 10, 2014, Town Meeting.

**Motion** by Selectman Hutchins, seconded by Selectman Matthews-Bull, to accept the property known as Map 027 Block 002 Lot 018 as a gift to the town.

**Vote:** 5-0

#### **14. Consider amendments to the Personnel Policy**

Mr. Mead outlined proposed amendments to the Personnel Policy. Amendments include revising existing wording, deleting existing phrases or sentences and adding new verbiage. Board members had previously received copies of the policy with changes shown in red ink.

**Motion** by Selectman Daggett, seconded by Selectman Briggs, to accept the amendments to the Town of Kennebunkport Personnel Policy as written.

**Vote:** 5-0

#### **15. Other business**

**a.** Summarization: Selectman Daggett thanked Larry Mead for his service to the town. Selectman Matthews-Bull expressed that Larry has been very helpful in guiding the town. Selectman Hutchins thanked him and reiterated that he will be missed. Selectman Barwise stated that hiring Larry was the best decision he had ever made in his years as a Selectman. Also, the consensus of the Board was that Larry is crazy to be taking on his new role... Good luck Larry, you're going to need it!

After receiving a plaque from the Board, Larry expressed how much he has loved his job as Town Manager.

**b.** Mr. Mead reminded the public that the Fall Immunization Day sponsored by the Kennebunkport Public Health & Nursing Service has been set for Saturday, Sept 26 from 8:30 – 10:00 AM at Village Fire Station at 32 North Street. Flu, high dose flu and pneumonia vaccines will be available.

**c.** Mr. Mead announced that our own Town Clerk, April Dufoe, has been chosen by the Secretary of State's Office to receive the annual Lorraine M. Fleury Award for "outstanding contribution to the election process". Unbeknownst to her, Mrs. Dufoe was nominated by two York County Town Clerks; a number of Clerks then wrote letters of support and the Secretary's office selected her as this year's recipient. Congratulations!

**16. Consider the September 12, 2013, Treasurer's Warrant**

**Motion** by Selectman Daggett, seconded by Selectman Matthews-Bull, to approve the September 12, 2013, Treasurer's Warrant. **Vote:** 5-0

**17. Adjournment**

**Motion** by Selectman Matthews-Bull, seconded by Selectman Hutchins, to Adjourn. **Vote:** 5-0

The meeting adjourned at 8:35 PM.

Submitted by  
April Dufoe, Town Clerk