



TOWN OF KENNEBUNKPORT, MAINE

**Board of Selectmen Agenda  
July 28, 2022 @ 3:00 PM  
TOWN HALL  
6 Elm St**

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**This is an in-person meeting**

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1. Call to Order.
2. Approve the July 14, 2022, selectmen meeting minutes.
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.)
4. Update on the Tax Commitment.
5. Request to wave tent permit fee for Circus Smirkus.
6. Other business.
7. Approve the July 28, 2022, Treasurer's Warrant.
8. Adjournment.

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# **AGENDA ITEM DIVIDER**

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Town of Kennebunkport  
Board of Selectmen Meeting  
July 14, 2022  
6:00 PM

## MINUTES

**Selectmen attending:** Jon Dykstra, Edward Hutchins, Sheila Matthews-Bull, and D. Michael Weston.

**Others attending:** Laurie Smith, Yanina Nickless, Christopher Simeoni, Eric Labelle, Carol Morrison, Steven Hannah, and Robin Phillips.

**1. Call to Order**

Selectman Hutchins called the meeting to order at 6:01 PM.

**2. Approve the June 23, 2022, meeting minutes.**

**Motion** by Selectman Dykstra seconded by Selectman Matthews-Bull to approve the June 23, 2022, selectmen meeting minutes. **Voted:** 4-0. **Motion passed.**

**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 or questions from the public.

**4. Consider proposed ordinance revisions for the November ballot:**

a. **Healthy Ecosystem Ordinance**

b. **Kennebunk River Ordinance**

c. **Administrative Code**

d. **Shellfish Conservation**

e. **Land Use Ordinance – Residential Rental Accommodations**

f. **Comprehensive Plan**

Carol Morris, the Chair of the Conservation Commission, and Steven Hannah, a Board member, gave updates on the Healthy Ecosystem Ordinance. The state of Maine has an existing ordinance, but it is not broken by region or municipality. Thus, the ordinance offered by the Conservation Commission is similar to the state's one but applies to Kennebunkport only. The idea for the ordinance came after the Commission polled the community and a large number of people wanted them "to do something about pesticides." The ordinance applies to any entity with a Maine Commercial

Applicator License. They would have to register with the Town and report annually where and how much they use pesticides.

The Board of Selectmen had questions about the ordinance and did not feel as it was ready yet for the November ballot. They offered to put a Public Hearing out and let the community raise questions.

Tracy O'Roak updated the Board on the rest of the ordinances:

b. Jamie Houtz brought up the change in definitions of commercial vessel and commercial fishing and it will align with Kennebunk;

c. Administrative Code revision is more of a housekeeping one: to remove the qualification for the town meeting moderator to be a registered voter and to include RSU Directors as elected officials who can be removed from office by the voters;

d. Shellfish Conservation ordinance has to do with the application for the Shellfish license to do so in-person and to clarify the age requirement;

e. This has been discussed at the Zoning Board of Appeals meetings: they are the ones who currently review applications for residential rental accommodations. The proposed amendment is more of an administrative item, which can be handled at the Code Office level without engaging ZBA.

f. The Comprehensive Plan is ready and is under State revision currently.

**Motion** by Selectman Weston, seconded by Selectman Matthews-Bull, to approve ordinance revisions b through f for the November ballot. **Voted:** 4-0. Motion passed.

## **5. Annual board/committee appointment.**

Selectmen Hutchins read the list of committee members for the reappointment and another list for the appointment. The Board decided to take more time to decide who will be the Selectmen representative for KEMS.

**Motion** by Selectman Dykstra, seconded by Selectman Matthews-Bull to appoint board and committee members. **Voted:** 4-0. **Motion passed.**

## **6. Consider reemployment upon retirement.**

Craig Sanford, Police Chief, told the Board that Michael Caiola has reached his retirement age with MePERS and is planning to retire. Mike asked for reemployment upon retirement and, according to the Personnel Policy, it must be approved by the Board of Selectmen. Considering that Mike has been a good and loyal employee and current job market, Chief Sanford recommended reemployment.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Dykstra to reemploy Michael Caiola upon retirement. **Voted:** 4-0. **Motion passed.**

**7. Adopt the updated York County Hazard Mitigation Plan.**

Craig Sanford, Police Chief, requested to adopt York County Hazard Mitigation Plan. It is an updated version of the plan, and it covers all the jurisdictions in York County.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Weston, to approve the street opening permit by Dearborn Construction for Old Cape Road. **Voted:** 4-0.

**Motion passed.**

**8. Consider awarding Pier Road Causeway Project engineering contract.**

Eric Labelle, Deputy Director of Public Works, updated the Board that the Department has received four RFPs for the process. They ranged in pricing, so the Department wanted to make sure they had the right company in place based on the needs. The Town recommends Woodard and Curran.

**Motion** by Selectman Weston, seconded by Selectman Matthews-Bull, to award Pier Road Causeway Project to Woodard and Curran. **Voted:** 4-0. **Motion passed.**

**9. Award Winter salt bid.**

Chris Simeoni, Public Works Director, updated the Board on salt purchase in preparation for winter work. The Department has received salt bids from the Southern Maine Planning and Development Commission. Chris recommended accepting the low bid from Eastern Salt Company.

**Motion** by Selectman Weston, seconded by Selectman Matthews-Bull, to accept the bid from Eastern Salt Company. **Voted:** 4-0. **Motion passed.**

**10. Consider and authorize bids for a new single axle dump truck.**

Chris Simeoni, Public Works Director, updated the Board on bids for a new single-axle dump truck to replace Truck 5. The Department has received four proposals and, after putting together a list of reasons for a new truck, decided to recommend the Western Star with the Viking Body.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Weston, to authorize a bid for a new single axle dump truck. **Voted:** 4-0. **Motion passed.**

**11. Street opening permit by Kennebunk Kennebunkport Wells Water District for Wildwood Ave to Broadway Ave.**

Chris Simeoni, Public Works Director, talked about the request for the street opening by KKW to replace a failed seasonal water line due to corrosion as it was an emergency to get water to the house.

**Motion** by Selectman Matthews-Bull, seconded by Selectman Weston, to approve street opening permit by Kennebunk Kennebunkport Wells Water District for Wildwood Ave to Broadway Ave. **Voted:** 4-0. **Motion passed.**

**12. Authorization of the Chowder House lease.**

Laurie Smith, Town Manager, updated the Board that the town has done research on commercial rent prices. The amount in the agreement exceeds what other people request. The tenants have always been paying in time and taking care of the property. They are interested in pursuing a 5-year extension.

**Motion** by Selectman Dykstra, seconded by Selectman Matthews-Bull, to authorize the Town Manager to authorize the Chowder House lease. **Voted:** 4-0.

**Motion passed.**

**13. Ballot for Election to MMA's Legislative Policy Committee.**

Laurie Smith has served on the committee in the past and put her name to serve again. She asked for the Board to sign.

**Motion** by Selectman Dykstra, seconded by Selectman Weston, to approve the ballot for Election to MMA's Legislative Policy Committee. **Voted:** 4-0. **Motion passed.**

**14. Accept \$125.00 from Lexi Stockwell towards the emergency fuel account.**

**Motion** by Selectman Matthews-Bull seconded by Selectman Dykstra to accept \$150.00 from Bree and Scott Clark in memory of Carole Chamberlain dedicated to the general nurses' account. **Voted:** 4-0. **Motion passed.**

**15. Accept \$150.00 from Bree and Scott Clark in memory of Carole Chamberlain dedicated to the general nurses' account.**

**Motion** by Selectman Matthews-Bull seconded by Selectman Dykstra to accept \$150.00 from Bree and Scott Clark in memory of Carole Chamberlain dedicated to the general nurses' account. **Voted:** 4-0. **Motion passed.**

**16. Other Business.**

There was no other business.

**17. Approve the July 14, 2022, Treasurer's Warrant.**

**Motion** by Selectman Matthews-Bull seconded by Selectman Dykstra to approve the July 14, 2022, Treasurer's Warrant. **Voted:** 4-0. **Motion passed.**

**18. Adjournment.**

**Motion** by Selectman Matthews-Bull seconded by Selectman Weston to adjourn. **Voted:** 4-0. **Motion passed.** Meeting adjourned at 7:10 PM.

Submitted by,  
Yanina Nickless,  
Assistant to the Town Manager