

Town of Kennebunkport
Board of Selectmen Meeting VIA Zoom
March 10, 2022
6:00 PM

MINUTES

Selectmen attending via Zoom: Allen Daggett, Patrick Briggs, D. Michael Weston, Edward Hutchins, and Sheila Matthews-Bull.

Budget Board Members attending via Zoom: Michelle Powell, Grace Adams, Daniel Beard, David Betses, Jon Dykstra, Allen Evelyn, David James, Kathryn Leffler, Dimitri Michaud, Steven Turner, Rick Wakeland and April Dufoe.

Others attending via Zoom: David Powell, Tracey O’Roak, Denise Brown, Christopher Simeoni, Eric Labelle, Christopher Simeoni, Werner Gilliam.

1. Call to Order

Selectman Matthews-Bull called the meeting to order at 6:00 PM. She took roll call of Selectmen present: Allen Daggett, Patrick Briggs, Michael Weston, Edward Hutchins, and Sheila Matthews-Bull. Selectman Matthews-Bull noted that there was 6 attendees in the audience.

Budget Board Chairperson, April Dufoe, called the Budget Board to order at 6:00 PM. She took roll call of members present: Michelle Powell, Grace Adams, Daniel Beard, David Betses, Jon Dykstra, Allen Evelyn, David James, Kathryn Leffler, Dimitri Michaud, Steven Turner, Rick Wakeland and April Dufoe.

2. Joint meeting with Budget Board for fiscal year 2023 municipal budget presentations.

The following budget categories were presented by Town staff: Solid Waste, Public Health, Welfare, Shellfish Conservation, Public Restrooms, Public Works, Utilities, Street Lights, Recreation, GRB Advisory Reserve, Contingency and Debt Service.

3. Approve the February 24, 2022, meeting minutes.

Motion by Selectman Hutchins seconded by Selectman Briggs to approve the February 24, 2022, selectmen meeting minutes. **Roll Call Vote:** Briggs, Weston, Matthews-Bull, Hutchins, and Daggett. **Voted:** 5-0. **Motion passed.**

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.)

James McMann spoke regarding the voter registration status of an RSU #21 Board member. He stated that there is a public hearing on March 23, 2022, to address the issue.

5. Consider renewal liquor license application submitted by First Serve KPT Hospitality, Inc. d/b/a Mabel's Lobster Claw located at 124 Ocean Avenue.

Motion by Selectman Daggett, seconded by Selectman Briggs to approve the request for a renewal liquor license for First Serve KPT Hospitality, Inc. d/b/a Mabel's Lobster Claw located at 124 Ocean Avenue. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

6. Consider renewal liquor license application submitted by First serve Edgewater, Inc d/b/a Mabel's House located at 126 Ocean Avenue.

Motion by Selectman Hutchins, seconded by Selectman Briggs to approve the request for a renewal liquor license for First serve Edgewater, Inc d/b/a Mabel's House located at 126 Ocean Avenue. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

7. Consider renewal liquor license application submitted by Chez Rosa LLC d/b/a Chez Rosa Bistro located at Building D on Cross Street and Union Street.

Motion by Selectman Hutchins, seconded by Selectman Briggs to approve the request for a renewal liquor license for Chez Rosa LLC d/b/a Chez Rosa Bistro located at Building D on Cross Street and Union Street. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

8. Consider recommendations of the Goose Rocks Beach Advisory Committee.

Motion by Selectman Hutchins, seconded by Selectman Weston to accept the recommendations of the Goose Rocks Beach Advisory Committee regarding five traffic and safety concerns.

After a lengthy discussion regarding each of the five recommendations, the motion was withdrawn. *This item was tabled to the next meeting.*

9. Authorize pre-procurement for Wastewater centrifuges.

Eric Labelle, Town Engineer, gave some background on this project and reviewed the bidding and selection process.

Motion by Selectman Weston, seconded by Selectman Daggett award the contract to GEA Westfalia for two centrifuges, polymer system, controls, startup services and performance testing for a total cost of \$468,800 along with an extended 3-year warranty for \$12,000. **Roll Call Vote:** Briggs, Weston, Daggett, Matthews-Bull, and Hutchins. **Voted:** 5-0. **Motion passed.**

10. Update on Village Parcel engineering.

Eric Labelle, Town Engineer, updated the Board on Acorn Engineering's work on the design plans for Village Parcel infrastructure. After discussion it was agreed to put the project on hold at this time.

11. Review proposed ordinance revisions for June Town Meeting.

Werner Gilliam, Director of Planning & Development, and Laurie Smith, Town Manager, reviewed the proposed ordinance revisions as follows:

1. Amendment to Waterfront Ordinance – adding the words “Goose Rocks Beach” to the mooring areas exempt from the requirement to be a pier member. It appears to staff that GRB was mistakenly left off the list in the past.
2. Sign ordinance revisions – these include the language amendments to permit internally lit signage on municipal properties (digital information signs) and to bring the ordinance into compliance with recent Supreme Court decisions regarding content-based restrictions.
3. Amendments to the Kennebunk River ordinance that will update the language to current practices and bring Kennebunk and Kennebunkport River ordinances into consistency.

Motion by Selectman Weston, seconded by Selectman Dagget to have the Town attorney review the final language for the proposed ordinance revisions to be placed on the June ballot. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

12. Approve contract extension with TZM Planning for Comprehensive Plan project.

Werner Gilliam, Director of Planning & Development gave an update on the Comprehensive Plan project. The Growth Planning Committee has been working with the vendor since 2019. Due to COVID, the process was put on hold for several months. Because of those delays, a contract extension is necessary. The cost of the extension will be \$10,600.

Motion by Selectman Daggett, seconded by Selectman Hutchins to approve a contract extension with TZM Planning for \$10,600. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

13. Authorize a Release Deed for 4 Wood Road.

Laurie Smith, Town Manager, advised that in 1982 there was an easement granted for a grinder pump replacement for this property. In 2019, the pump was replaced with a new system that the Town does not own or maintain. Therefore, the easement is no longer necessary.

Motion by Selectman Hutchins, seconded by Selectman Daggett to authorize the release deed for 4 Wood Road. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

14. Review and select photo for Annual town Report cover.

After discussion of submitted photos, it was agreed to go with photo #3 which was captioned Paddy's Cove by Bob Dennis. *Please note that the Board only saw the photos, they did not know who submitted them at the time of review.*

15. Other business.

There was no other business.

16. Approve the March 10, 2022, Treasurer's Warrant.

Motion by Selectman Hutchins seconded by Selectman Briggs to approve the March 10, 2022, Treasurer's Warrant. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

17. Executive Session per (MRSA 1, §405 6E) concerning the legal rights and duties for pending or contemplated litigation.

Motion by Selectman Hutchins seconded by Selectman Daggett to move to executive session per MSRA 1, §405 6E. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

18. Adjournment.

Motion to adjourn was made and passed during executive session. Meeting adjourned at 8:50 PM.

Submitted by,
Tracey O'Roak
Administrative Assistant