

Town of Kennebunkport  
Board of Selectmen Meeting  
April 28, 2022  
6:00 PM

## **MINUTES**

**Selectmen in attendance:** Allen Daggett, Patrick Briggs, D. Michael Weston, and Edward Hutchins.

**Others attending via Zoom:** Karina Graeter.

**1. Call to Order**

Selectman Hutchins called the meeting to order at 6:00 PM. He took a roll call of Selectmen present: Allen Daggett, Patrick Briggs, Michael Weston, and Edward Hutchins. Selectman Hutchins noted that there were 8 people in the audience.

**2. Approve the April 14, 2022, selectmen meeting minutes**

**Motion** by Selectman Briggs seconded by Selectman Weston to approve the April 14, 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.

**4. Presentation by Maine Lobstermen Association.**

Christopher Welch, the Head of Government Wharf and a Board member of the Maine Lobsterman Association, reported on the problem that stemmed from the 2021 plan by the National Marine Fishery Services: the plan required a 98% reduction in the fishery. The Maine Lobsterman Association filed a lawsuit against the National Marine Fishery Services in order to defend the right to keep fishing. Chris Welch encouraged the citizens to support the Association and donate money if possible.

Kevin Kelly, a member of the Maine Lobsterman Association, emphasized the importance of the Maine Lobsterman Association. He pointed out that they have support from Governor Mills as well as the whole congressional delegation.

**5. Presentation on Greenhouse Gas Inventory.**

Karina Graeter, a Sustainability Coordinator with Southern Maine Planning and Development Commission (SMPDC), gave a high-level overview of her findings on the greenhouse gas inventory. She led everyone through a timeline of climate change work in Kennebunkport and reminded us that goal #1 of Kennebunkport's Climate

Change goals and priorities was to establish a greenhouse gas (GHG) emissions inventory, target, and plan.

The key takeaways were that the largest source of community-wide GHG emissions is passenger vehicle fuel use and the second largest is residential heating fuel use. More so, community-wide emissions are 4018% greater than municipal emissions. These findings can be used to evaluate Kennebunkport's progress in emission reduction efforts.

The next step will be to target and set goals for the climate change plan as Kennebunkport works with SMPDC and other communities.

**Motion** by Selectman Daggett, seconded by Selectman Briggs to adopt the analysis by the SMPDC. **Voted:** 4-0. **Motion passed.**

**6. Update on the Comprehensive Plan strategies.**

Werner Gilliam, Director of the Planning and Development Department, gave updates on the Comprehensive Plan strategies. He defined the role of the Board of Selectmen in the plan and opened the floor to the questions. Selected Weston asked if there was a possibility for the Department to monitor the changes, set priorities, and follow up on the plan by creating a progress report. Werner Gilliam emphasized the Growth Planning Committee is tasked with these goals and there are not many communities and municipalities that have a committee dedicated to the plan, which is unique to Kennebunkport.

Werner Gilliam and the Board of Selectmen agreed to update the community more on the progress of the plan and pinpoint ongoing items and timelines.

**7. Authorize Wastewater Commitment for FY'22.**

The Selectmen were asked to authorize the sewer commitment in the amount of \$1,245,228.42 so the Town can bill sewer users before the end of the Fiscal Year.

**Motion** by Selectman Daggett, seconded by Selectman Weston to authorize the sewer commitment. **Voted:** 4-0. **Motion passed.**

**8. Authorize to write-off \$816.45 in uncollectable personal property tax.**

Denise Brown, Finance Director, reported that, in the attempt of cleaning up Personal Property accounts, the Finance Department identified 6 accounts that either closed, relocated, or transferred to another user. She asked to authorize the write-off \$630.79 in principal amount and \$185.66 in interest (as of the memorandum date).

**Motion** by Selectman Daggett, seconded by Selectman Briggs to write-off \$816.45 in uncollectable personal property tax. **Voted:** 4-0. **Motion passed.**

**9. Authorize to sign the June 2022 town meeting warrant.**

Tracey O'Roak, Town Clerk, explained that there was one change from the previous versions: the Town broke out the question about signs into two different questions. Instead of 4 ordinance revisions, Tracey O'Roak presented 5 by adding question #5 which talked about internally lid signs.

**Motion** by Selectman Daggett, seconded by Selectman Briggs to authorize to sign the June 2022 town meeting warrant. **Voted:** 4-0. **Motion passed.**

**10. Certification of the referendum questions for the June town meeting warrant.**

The first question is the amendment to the Kennebunkport Town Code, Chapter 80 – Kennebunk/Kennebunkport River and Interlocal Agreement. This amendment will bring it in line with Kennebunk's ordinance.

**Motion** by Selectman Weston, seconded by Selectman Briggs. **Voted:** 4-0.  
**Motion passed.**

The second question is the amendment to the Kennebunkport Town Code, Chapter 61-12 – Harbor and Waterfront. It adds the inadvertent omission of Goose Rocks Beach from the definition section.

**Motion** by Selectman Daggett, seconded by Selectman Briggs. **Voted:** 4-0.  
**Motion passed.**

The third question is the amendment to the Kennebunkport Town Code, Chapter 240 – Signs and Billboards. This amendment would revise the Town of Kennebunkport's permanent and temporary sign regulations to comply with Supreme Court decisions.

**Motion** by Selectman Weston, seconded by Selectman Briggs. **Voted:** 4-0.  
**Motion passed.**

The fourth question is the amendment to the Kennebunkport Town Code, Chapter 147 – Streets and Sidewalks. It clarifies allowing temporary signage within the public right-of-way for election and public notices.

**Motion** by Selectman Daggett, seconded by Selectman Weston. **Voted:** 4-0.  
**Motion passed.**

The fifth question is the amendment to the Kennebunkport Town Code, Chapter 147 – Streets and Sidewalks. It would allow the Town to place internally lit signs on Town-owned property.

**Motion** by Selectman Daggett, seconded by Selectman Briggs. **Voted:** 3-1.  
**Motion passed.**

**11. Countersign the RSU 21 Budget Validation Referendum Election Warrant.**

**Motion** by Selectman Daggett, seconded by Selectman Briggs to countersign the RSU 21 Budget Validation Referendum Election Warrant. **Voted:** 4-0.  
**Motion passed.**

**12. Set a public hearing date of May 12, 2022, to consider the ordinance revisions on the June 14, 2022, town meeting ballot.**

**Motion** by Selectman Daggett, seconded by Selectman Briggs to set a public hearing date. **Voted:** 4-0. **Motion passed.**

**13. Appointment of election clerks for 2022-2024.**

Tracey O'Roak, Town Clerk, explained that the state law requires every May 1 of even years we have to have the approval of the proposed election clerks for the next two years.

**Motion** by Selectman Daggett, seconded by Selectman Briggs to appoint the election clerks for 2022-2024. **Voted:** 4-0. **Motion passed.**

**14. Set mooring fees to be effective January 1, 2023.**

The Selectmen were asked to set mooring fees in all waters to \$90.

**Motion** by Selectman Daggett, seconded by Selectman Briggs to set mooring fees to \$90 to be effective January 1, 2023. **Voted:** 4-0. **Motion passed.**

**15. Authorize a quit claim deed of Map ID 22-3-9, at 133 Main Street to Estate of Lisa Gunther.**

Denise Brown, Finance Director, reminded the Board that at the last meeting, the Finance Department requested to be able to accept payment from a deceased owner's sister; the motion was approved. After receiving the payment, the Department requests approval to proceed with the quit claim deed.

**Motion** by Selectman Daggett, seconded by Selectman Briggs to authorize a quit claim deed on Map ID 22-3-9, at 133 Main Street. **Voted:** 4-0. **Motion passed.**

**16. Authorize a quit claim deed of Map ID 23-1-27C, on Beachwood Avenue, to Kennebunkport Heritage Housing Trust.**

Robin Phillips, a Kennebunkport citizen, raised a few questions about the role of the Kennebunkport Heritage Housing Trust and the Board of Selectmen. She asked about

the land and the requirements for obtaining a house through the Trust. Further, she inquired if it is possible for the Town to work together with Habitat for Humanity.

Selectmen Hutching replied that the Town and the Board of Selectmen have been working with Habitat for Humanity for a while now and there are a few houses in Town that appeared from that cooperation.

**Motion** by Selectman Daggett, seconded by Selectman Weston to authorize a quit claim deed on Map ID 23-1-27C, at Beachwood Ave. **Voted:** 3-0-1. Selectman Briggs abstained. **Motion passed.**

**17. Other business.**

Laurie Smith, the Town Manager, shared with the Board that the Town was successful in receiving an EDA grant in the amount of \$2.2 million for the Cape Porpoise Pier project from the US Economic Development Administration. The next step will be putting it out to bid and setting a construction mode in November.

**18. Approve the April 28, 2022, Treasurer's Warrant.**

**Motion** by Selectman Daggett seconded by Selectman Briggs to approve the April 14, 2022, Treasurer's Warrant. **Voted:** 4-0. **Motion passed.**

**19. Adjournment.**

**Motion** by Selectman Weston, seconded by Selectman Daggett to adjourn. **Voted:** 4-0. **Motion passed.**

Submitted by,  
Yanina Nickless  
Assistant to the Town Manager