

Town of Kennebunkport
Board of Selectmen Meeting VIA Zoom
May 12, 2022
6:00 PM

MINUTES

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

Others attending via Zoom: Rick Spencer, Werner Gilliam, Tracey O'Roak, Denise Brown, Tom Boak, Nina Pearlmuter, Larry Simmons, Michael Claus, Stephanie Simpson, and Jay Everett.

1. Call to Order

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

2. Approve the April 28, 2022, meeting minutes.

Motion by Selectman Daggett seconded by Selectman Briggs to approve the April 28, 2022, selectmen meeting minutes. **Roll Call Vote:** Daggett, Briggs, Weston, Hutchins. **Voted:** 4-0-1. Selectman Matthews-Bull abstained as she was not present at that meeting. **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.)

Rick Spencer of Langsford Road explained that the school bus cannot come down Langsford Road to pick up children as the pathway is too narrow when cars are parked on both sides of the road at the same time, especially on the north side of the road. He offered, as an option, to enforce parking on one side of the road Monday through Friday if possible. Selectman Allen Daggett expressed that the problem lies between Cape Porpoise Square and Ward Road. Selectman D. Michael Weston agreed that the problem is acute as he traveled that route earlier in the day.

The Selectboard agreed to further examine the issue and proceed with the 7-days public notice. Laurie Smith, Town Manager, clarified that Monday through Friday parking enforcement is an option that the Selectboard liked. The Board confirmed.

Further, a member from the audience, Nina, expressed that there is an ordinance enforcement problem on a few other streets that the Board needs to look into.

4. Consider a renewal Liquor License Application submitted by JPRE LLC d/b/a Roma Pizza KPT, 5 Union Street.

Motion by Selectman Daggett, seconded by Selectman Briggs to approve the requested renewal liquor license for JPRE LLC d/b/a Roma Pizza KPT, 5 Union Street. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

5. Consider a renewal Liquor License Application submitted by Alisson's Restaurant, 11 Dock Square.

Motion by Selectman Daggett, seconded by Selectman Hutchins to approve the requested renewal liquor license for Alisson's Restaurant, 11 Dock Square. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

6. Public Hearing on June Town Meeting warrant ordinances.

The members of the Planning Board were called to order by Tom Boak, the Chairman. Together with Nina Pearlmuter and Larry Simmons, they formed a quorum. Further, Laurie Smith, Town Manager, reminded the attendees what ordinances are at hand:

- 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, so the Harbormaster will not have to enforce two different rules on both sides of the river.
- 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.
- 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. It would neutralize content and some distinctions between commercial and non-commercial signage.
- 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.
- 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.

Selectman Matthews-Bull gave a chance to the public to ask any questions or raise any concerns. A member of the audience asked if the illuminated signs would be on at night (referring to Question 5). Laurie Smith, Town Manager, explained that it is an

operational question and it can be determined further, for example, by the Town putting a time restriction on it.

Werner Gilliam, Director of Planning and Development, reported that the Growth Planning Committee had a meeting to review the consistency of the two amendments (Question 4 and Question 5) with the Town Comprehensive Plan. The Board voted 4-0-1 in favor of Question 4, which indicated it was consistent with the Plan. Question 5 was deemed as inconsistent and was supported by the vote of 3-1-1.

Selectman Matthews-Bull closed the public hearing.

Motion by Chairman Boak to adjourn the hearing for the Planning Board, seconded by member Simmons. **Voted:** 3-0. **Motion passed.**

7. Public Comment regarding State grant application for Pier Road climate change adaptability.

Laurie Smith, Town Manager, introduced Mike Claus, a project consultant, who was able to explain the process to the Board.

Mike Claus reported that the Pier Road project has been on the Town's radar for a long period of time due to road damages caused by storms. He also noted that Laurie Smith was looking for money from the federal government and, together with Denise Brown, Finance Director, they talked to Senator Collins' office about the climate change infrastructure repairs. Senator's office referred them to Maine DOT. Request for applications from Maine DOT came out in April and Pier Road project seemed to fit that opportunity. The applications by the Town are due by the end of May, Mike Claus and Eli Rubin, Community Planner, are working diligently on the application and further steps.

To get the process moving and because of the tight deadline, Mike Claus asked if it was ok with the Board of Selectmen to reach out to engineers and the State without committing any Town's funds before the Town meeting vote.

Selectmen were fond of the idea and Laurie Smith asked if anyone from the audience had comments or concerns. David Pearloff suggested that, while the Town is looking at this project, it would be great to widen the roadway. Mike Claus confirmed that it is a part of the application.

Motion by Selectman Weston, seconded by Selectman Hutchins to direct staff to apply for a grant from the Maine Infrastructure Adaption fund for the raising of Pier Road. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

8. Award Parks and Recreation mower bid.

Stephanie Simpson, Director of the Parks and Recreation Department, prepared the report for the Board asking to approve a purchase of a new mower for the Recreation Department. The Department has two mowers, one of which was purchased used from the school district a long time ago and now is outdated. That is the one she is hoping to replace.

Together with the Town Mechanic, Richard Bleakney, they came up with a list of specs that would be important to consider while purchasing new equipment. Stephanie sent out requests for quotes and received three back. She recommends Gravely 992504 because it is fuel-injected and more fuel-efficient.

Motion by Selectman Hutchins, seconded by Selectman Weston to approve the Gravely 992504 for \$14,190.75. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

9. Consider appointment of Planning Board member.

Due to applicants not being able to attend, the Board of Selectmen skipped this item.

10. Consider Arbor Day Proclamation.

Selectmen Matthews-Bull read the proclamation to the audience.

Motion by Selectman Briggs, seconded by Selectman Daggett to proclaim May 12, 2022, as Arbor Day in Kennebunkport. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

11. Accept a \$75.00 donation from Ms. Susan Graesser dedicated to the nurse's general account.

Motion by Selectman Hutchins, seconded by Selectman Briggs to accept a \$75.00 donation from Ms. Susan Graesser. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

12. Other business.

Selectmen Daggett reminded everyone that softball starts on June 1, Wednesday, at 6 pm. Stephanie Simpson added that people can register online at kennebunkportrec.com or just show up the night of the game and participate that way.

Laurie Smith, Town Manager, had a few things to add:

- Tracey O'Roak was asked to inform everybody about the upcoming election on June 14 (municipal election, school budget ballot, as well as a primary ballot for the state if you are enrolled in a party). Absentee ballots will be available starting on Monday and anyone can request one at the Town Clerk's office or

call at (207) 967-1610. The last day to request an absentee ballot is Thursday, June 9 at 4:30 PM.

- Jay Everett was asked to talk about the Memorial Day Parade activities with the Fire Department. He announced that, on Memorial Day, May 30, 2022, Port Village Fire Company will have an Open House with pancake breakfast from 7 AM to 10 AM at 32 North Street with no charge.
- It is a big week in public service: it is National Police Officers/Law Enforcement Week. Nurses Week, and Public Servants Week. Laurie thanked every public servant who works for the Town as we are fortunate to have great and committed employees.
- Coming up is Public Works Week that the Town will celebrate with a first annual Public Works Open House on Saturday, May 21, between 9 AM and noon at 25 Recreation Way. There will be Wastewater tours, a touch-a-truck event, EVs for test drives, a recycling educational booth, and more for free.

13. Approve the May 12, 2022, Treasurer's Warrant.

Motion by Selectman Hutchins seconded by Selectman Daggett to approve the May 12, 2022, Treasurer's Warrant. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

14. Executive Session per MRSA 1, §405-6A to consider Town Manager contract.

Motion by Selectman Daggett seconded by Selectman Hutchins to go into Executive Session. **Roll Call Vote:** Briggs, Daggett, Hutchins, and Matthews-Bull. Selectmen Weston left the room before the roll call. **Voted:** 4-0. **Motion passed.**

The Board went into Executive Session at 6:50 PM.

At 7:20 PM the Board came out of the executive session.

Selectmen Weston expressed that Laurie Smith, Town Manager, worked very hard to bring the Town and the employees through the pandemic. She is also a great Town Manager who communicates well with the public and the crew. The Board of Selectmen was unanimous in renewing her contract for another 3 years and increasing her salary and the use of the vehicle.

Motion by Selectman Weston seconded by Selectman Daggett to approve the contract as discussed. **Roll Call Vote:** Briggs, Daggett, Hutchins, Weston, and Matthews-Bull. **Voted:** 5-0. **Motion passed.**

15. Adjournment.

January 27, 2022, BOS Meeting Minutes

Motion by Selectman Hutchins seconded by Selectman Briggs to adjourn. **Roll Call Vote:** Briggs, Weston, Daggett, Hutchins, and Matthews-Bull. **Voted:** 5-0.
Motion passed. Meeting adjourned at 7:26 PM.

Submitted by,
Yanina Nickless,
Assistant to the Town Manager