

Town of Kennebunkport
Board of Selectmen Meeting
May 25, 2023
6:00 PM

MINUTES

Selectmen attending: Allen Daggett, Sheila Matthews-Bull, Jon Dykstra.

1. Call to Order:

Selectman Daggett called the meeting to order at 6:00 PM.

2. Approve the May 11, 2023, Selectmen meeting minutes:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the May 11, 2023, selectmen meeting minutes. **Voted:** 3-0. **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.)

George Bentley, who is running for Board of Selectmen in the June election, introduced himself and provided a little bit of his personal and family history.

Town Clerk Tracey O’Roak reminded everyone that absentee ballot voting is happening now. Ballots can be obtained by coming to Town Hall or by calling Tracey at 207-967-1610. Information about the ballot and referendum items can be found on the Town Clerk’s page of the Town’s website under the topic “Elections and voting”.

No motion was necessary. No action was taken.

4. Presentation of the Town Report:

Each year the Town Report is dedicated in honor of a member of the community who has dedicated time and concern to the Town. Selectman Daggett read a declaration that this year’s Town Report is dedicated to Jim Fitzgerald and provided a brief summary of Jim’s life and contributions to the Town and the local community. Jim’s recent passing was shocking to many, but members of his family were present to accept the dedication.

Selectman Daggett presented the first printed copy of the Town Report to Jim’s daughter Cheyenne Scola, who said a few words in honor of her father, expressing his love for his community and family.

No motion was necessary. No action was taken.

5. Public Hearing to consider applications for victualer's licenses for the period from June 1, 2023, through May 31, 2024:

Selectman Daggett opened the public hearing. No meeting attendees, either in person or via Zoom had any comment. Selectman Daggett closed the public hearing. Selectman Daggett stated that he wished to approve the licenses in a group with a single vote.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the victualer's licenses. **Voted: 3-0. Motion passed.**

6. Consider renewing the following liquor licenses:

a. Nunan's Lobster Hut Inc., located at 9 Mills Rd.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the liquor license for Nunan's Lobster Hut Inc., located at 9 Mills Rd. **Voted: 3-0. Motion passed.**

b. First Serve Edgewater Inc., Mabel's House, located at 126 Ocean Ave.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the liquor license for First Serve Edgewater Inc., Mabel's House, located at 126 Ocean Ave. **Voted: 3-0. Motion passed.**

c. First Serve Edgewater Inc., Mabel's Lobster Claw, located at 126 Ocean Ave.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the liquor license for First Serve Edgewater Inc., Mabel's Lobster Claw, located at 126 Ocean Ave. **Voted: 3-0. Motion passed.**

7. Consider renewing liquor and special amusement licenses for the Nonantum Resort, Seaside Hotel Association partnership, located at 95 Ocean Ave:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to renew liquor and special amusement licenses for the Nonantum Resort, Seaside Hotel Association partnership, located at 95 Ocean Ave. **Voted: 3-0. Motion passed.**

8. Award the bid for the sale of the 2012 International truck:

Public Works Director, Chris Simeoni, explained that on April 11th, he had put the 5-ton dump truck, the next vehicle to be replaced, out for bid on Facebook, the Town's website, and the Maine Municipal website. He received just one bid, from the Town of Arundel, for \$22,599. He checked with a few dealers who indicated that their retail price for this vehicle would be about \$18,000. Chris recommended that we accept this bid.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the bid from the Town of Arundel for \$22,599. **Voted:** 3-0. **Motion passed.**

9. Consider a lease agreement for a JCB excavator:

Chris Simeoni informed the Board that each year we currently rent an excavator for four to six months at a rate of \$3,900 to \$4,800 per month. This means an annual rental cost of \$23,700 - \$28,962. JCB offered a six-year lease of a new excavator this year for a monthly cost of \$1,633.51, which comes to \$19,602.12 annually. We could lease the excavator for less than we're currently paying to rent one, with the added benefit of being able to use it year-round and not just during a limited time window. While maintenance would be the Town's responsibility, we would know who is operating and maintaining the machine. At the end of the lease, the Town would have the option to buy the machine. The lease has a non-appropriation clause which allows the Town to back out of the lease if so desired.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the 72-month lease agreement at \$1,633.51 per month for the JCB excavator. **Voted:** 3-0. **Motion passed.**

10. Consider funding parking lot repair for Colony Beach:

Chris recounted that the recent winter storms had done considerable damage to the Colony Beach parking lot, reducing the number of available parking spaces by more than a dozen. He met with the Army Corps of Engineers, and they indicated no interest in providing funding assistance for parking lot repair. However, they did indicate that about 1,000 yards of replacement gravel would be required. While the Town does have some of the equipment necessary for the repairs, we do not have a bulldozer or vibratory roller that would be required. Pike Industries has this equipment and can commit to performing the repairs in two days. Total cost should be somewhere in the range of \$36,000 - \$40,000. Town Manager Laurie Smith said that we have contingency funds to pay for the project and is looking for an indication from the Selectman that they intend to have the repairs done. Required permitting from the Army Corps will take some time.

Selectman Dykstra asked if inquiries had been made in regard to the cost of hardening the parking lot area. This led to some discussion about the costs of engineering such an effort. The Board agreed that we should proceed with the repairs and request estimates as to what the cost of engineering a hardening project would be.

No motion was necessary. No action was taken.

11. Request for the Street Opening Permit by George Burr + Son Inc. for Greene St:

Chris Simeoni explained that this is to replace a sewer lateral (from the house to the sewer main) that has failed. The street would be cut, and the lateral would be replaced, with Burr + Son backfilling appropriately. A year from now, they would mill 25 feet on either side of the cut and overlay the entire section of the road. The street does not fall within the moratorium period, and Chris supports this request.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve a street opening permit for Greene St. **Voted:** 3-0. **Motion passed.**

12. Request for the Street Opening Permit by BREX Corp. for Colony Ave:

Chris explained that the Colony Hotel is requesting a manhole and sewer extension stub. The street was to be overlaid in July 2023, but with all the construction going on, he recommends holding off the overlay until next year. The street would need to be closed for two days, so traffic control will be required.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the street opening permit for Colony Ave. with the stipulations Chris cited. **Voted:** 3-0. **Motion passed.**

13. Authorize quit claim deed for Jessica Hughes, map and lot 008-002-008:

Laurie Smith explained that we had previously foreclosed on the property due to the non-payment of sewer bills. Sewer bills and all taxes are now paid in full, so she is recommending that the quit claim deed be authorized.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to authorize the quit claim deed for Jessica Hughes, map and lot 008-002-008. **Voted:** 3-0. **Motion passed.**

14. Appoint Laurie Ouellette to the Conservation Commission with an expiration date of July 2023:

Selectman Daggett explained that this appointment (along with all others) will be renewed in July 2023.

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to appoint Laurie Ouellette to the Conservation Commission with an expiration date of July 2023. **Voted: 3-0. Motion passed.**

15. Appoint Judson Star to the Cemetery Commission with an expiration date of July 2023:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to appoint Judson Star to the Cemetery Commission with an expiration date of July 2023. **Voted: 3-0. Motion passed.**

16. Accept donations towards the general nurses' account:

- a. **\$50.00 from an anonymous donor.**
- b. **\$100.00 from Kristen Bergeron.**

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to accept the donations towards the general nurses' account. **Voted: 3-0. Motion passed.**

17. Accept the \$5,000.00 donation from the Tommy McNamara Charitable Foundation for the Parks and Recreation scholarship fund:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to accept the \$5,000.00 donation from the Tommy McNamara Charitable Foundation for the Parks and Recreation scholarship fund. **Voted: 3-0. Motion passed.**

18. Other Business:

Director of Support Services, Yanina Nickless, informed the Board that we would be having a Candidates' Night forum at the Fire Station community room at 6 pm on May 30th. Two candidates for the Board of Selectman and two candidates for Kennebunkport School Board Representative to RSU 21 will be participating. Yanina sent out emails soliciting the public for questions to ask the candidates. Mary-Lou Boucouvalas will be the moderator. Interested members of the community can watch the forum in person, via Zoom Webinar, on the Kennebunkport government cable TV channel, or via Internet streaming. The forum should last between 60 and 90 minutes.

Selectman Matthews-Bull reminded everyone that the Board of Selectmen will be reviewing the Town Referendum questions at their next meeting ahead of the election on June 13th. She invited anyone with questions about these items to ask at this meeting, either in person or via Zoom.

Selectman Daggett informed all that softball will begin on Wednesday, June 7th at Parsons Field in Kennebunkport, next to Kennebunkport Consolidated School and the Parks and Recreation building. All are welcome.

19. Approve the May 25, 2023, Treasurer's Warrant:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to approve the May 25, 2023, Treasurer's Warrant. **Voted: 3-0. Motion passed.**

20. Executive session per (MRSA 1, §405-6A) for discussion of a personnel matter:

The Selectmen went into executive session at 6:40 pm.

The Selectmen came out of the executive session at 7:04 pm with no decisions made.

21. Adjournment:

Motion by Selectman Matthews-Bull, seconded by Selectman Dykstra, to adjourn. **Voted: 3-0. Motion passed.**

Meeting adjourned at 7:04 PM.

Submitted by,
Dave Powell,
Technology Specialist