

**Town of Kennebunkport
Selectmen's Meeting
Village Fire Station-32 North Street
May 13, 2010-7 PM**

Minutes of the Selectmen's Meeting of May 13, 2010

Selectmen attending: Stuart E. Barwise, Allen A. Daggett, Mathew J. Lanigan, Sheila Matthews-Bull, and D. Michael Weston

Others: Norm Archer, Joseph Bruni, Ginny Burrows, Jim Burrows, Ann Campbell, David Chisholm, Michael Davis, Bob Domine, April Dufoe, Wayne Fessenden, David James, Maureen King, Jen Leskowsky, Allan Moir, Bill Matthews, Crystal McCurdy, Lee McCurdy, Mike McGrath, Arlene McMurray, Larry Mead, Chris Perry, Richard Smith, Dick Stedman, Dan Stockman, Theresa Willette, and others

1. Call to Order.

Chairman Daggett called the meeting to order at 7:03 p.m.

2. Approve the April 22, 2010, Selectmen Meeting minutes.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to approve the April 22, 2010, Selectmen Meeting minutes. **Vote:** 5-0.

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).

Town Clerk April Dufoe reminded everyone of the Budget Validation Election on Tuesday, May 18, from 8 AM to 8 PM at the Village Fire Station. It is a referendum vote to validate the RSU #21 proposed budget for 2010-2011 approved by the voters on May 4, 2010.

4. Liquor license renewal application submitted by OWR, LLC, DBA PJ's Restaurant/Ocean Woods Resort, 71 Dyke Road.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to approve the liquor license renewal application submitted by OWR, LLC, DBA PJ's Restaurant/Ocean Woods Resort, 71 Dyke Road. **Vote:** 5-0.

5. Special amusement permit renewal application submitted by Kathleen Spang, DBA Ocean Woods Resort, 71 Dyke Road.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to approve the

special amusement permit renewal application submitted by Kathleen Spang, DBA Ocean Woods Resort, 71 Dyke Road. **Vote:** 5-0.

6. Confirm appointment of Fire Chief.

Town Manager Larry Mead announced the appointment of Allan Moir as Fire Chief. He explained that Mr. Moir is very qualified for this position. Beginning in 1994, he worked his way up the ranks of the Fire Department to the position of District 2 Chief. At the same time, he served with the Kennebunk Fire Department as Lieutenant for the Washington Hose Company. He also served with the York County Hazmat Team since 2003, and holds the position of Deputy Chief for this regional unit. Mr. Moir will also continue working in his current position as Sewer Superintendent.

Mr. Mead also announced that Dick Stedman will serve as full-time Fire Administrator, and that he is well qualified because he was interim Fire Administrator for the third time in the last five years. He has also been Deputy Director of Emergency Management since 2003.

Mr. Moir thanked Mr. Mead and said he is off to a good start with the support of members of the Fire Company. He said he will start out by working on filling two vacancies.

Chairman Daggett thanked David Chisholm for filling in as Interim Fire Chief and presented him with a gift certificate as a token of the Town's appreciation. Mr. Chisholm thanked the Board.

Motion by Selectmen Barwise, seconded by Selectman Lanigan, to confirm Allan Moir's appointment as Fire Chief. **Vote:** 5-0.

7. Consider fiscal year 2011 budget for the Sewer Department.

Mr. Moir explained that his budget increased by 4½% for salaries and wages and upgrades to the treatment plant.

Discussion followed. There was confusion regarding the capital equipment account and capital reserve account. The Board agreed that Mr. Moir should keep the sewer rate flat and requested that he rework his budget.

Motion by Selectman Barwise, to approve the \$75,000 reimbursement in the capital reserve account. No second. Discussion followed.

Motion by Selectman Barwise, seconded by Selectman Lanigan, to approve the fiscal year 2011 budget for the Sewer Department with no change in the sewer rate. **Vote:** 5-0.

8. Consider contract award for generator set at Wastewater Department.

Mr. Moir said that after the last power outage, he and his staff recognized that they would be better off purchasing a portable generator that could supply power to multiple pump stations.

Mr. Moir solicited bids from five companies for a portable generator and received bids from two:

Power Products	\$33,895.00
Southworth-Milton	\$41,915.00

Mr. Moir recommended awarding the bid to Power Products.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to award the bid for the portable generator to Power Products. **Vote:** 5-0.

9. Public Hearing to consider amendments to the Kennebunkport Traffic and Parking Control Ordinance in Sections: 2. Parking and Control Regulations: #18 Maine Street and #29 Pier Road; 15. and 15A. Penalties; and to 16. Enforcement.

Chairman Daggett opened the public hearing at 7:50 p.m.

Police Chief Bruni explained the amendments to the Traffic and Parking Control Ordinance. He said in Section 18, they would like to make permanent, the change to designate 8 parking spaces between Spring Street and Union Street as 3 hour parking spaces rather which ended October 12, 2009.

Selectman Matthews-Bull said she spoke with the Kennebunkport Business Association, and they all supported keeping the three hour parking.

In section 29 Pier Road, Mr. Mead explained that it is a safety issue with launching kayaks.

Dick Smith said that he checked out the poles listed in the ordinance on Pier Road and found that there is no parking from pole J-113 to J-117. He was concerned with pedestrian safety. He said this area is advertised as a place to launch kayaks, and that unfamiliar kayakers will be distressed when they find out there is no parking. He mentioned that part of the causeway launch is privately owned, but the residents are not making this an issue.

Harbormaster Lee McCurdy said that the aread where people launch at Cape Porpoise Pier is treacherous and dangerous. He has seen people fall off of rocks.

Theresa Willette, owner of Coastal Maine Kayak, volunteered to spread the word that there is no parking at the causeway.

Chairman Daggett closed the public hearing at 8:20 p.m.

Motion by Selectman Weston, seconded by Selectman Barwise to approve the amendments to the Traffic and Parking Control Ordinance, section 18 Maine Street. **Vote:** 5-0.

Motion by Selectman Weston, seconded by Selectman Barwise to approve the amendments to the Traffic and Parking Control Ordinance, section 29 Pier Road. **Vote:** 4-0-1/Selectman Daggett recused himself from voting.

Motion by Selectman Weston, seconded by Selectman Barwise to approve the amendments to the Traffic and Parking Control Ordinance, section 15 Penalties. **Vote:** 5-0.

Motion by Selectman Weston, seconded by Selectman Barwise to approve the amendments to the Traffic and Parking Control Ordinance, section 15A Penalties. **Vote:** 5-0.

Motion by Selectman Weston, seconded by Selectman Barwise to approve the amendments to the Traffic and Parking Control Ordinance, section 16 Enforcement. **Vote:** 5-0.

10. Consider amendments to Goose Rocks Beach Parking Sticker Rules/Regulations.

Mr. Mead said the reason for the amendments is because staff wanted to clarify the Rules and Regulations regarding which vehicles qualify. He said more individuals are selling the beach stickers at town hall. He went through the changes.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to approve the modifications to the Goose Rocks Beach Parking Stickers Rules/Regulations. **Vote:** 5-0.

11. Discuss Budget Validation Referendum Warrant with members of the Kennebunk RSU #21 Board of Directors.

Maureen King, member of the RSU#21 Board of Directors, said that 12 members of the Board of Directors were elected last June. She discussed the Board's accomplishments such as:

- Hiring three principals.

- Hiring a superintendent.
- Passing a \$36 million budget last year.
- Negotiating teachers' and other contracts.
- Strategic planning.

She said students will have an opportunity to learn a foreign language and that the International Baccalaureate Program has drawn people from other countries to the school.

Mr. Mead expressed concern regarding the future of Consolidated School, and also the debt allocation to Kennebunk and Kennebunkport.

Ms. King said she was not prepared to discuss the debt allocation, but that a meeting to explain it will be held on Monday, May 17, at the Kennebunk Town Hall. The meeting will also be televised. She said Superintendent Dolloff will explain everything in simplified terms so that everyone can understand.

Ms. King did say that five members of the current 12 member RSU Board concluded that that what they thought was included in the funding formula did not actually happen. Those five participated in the original group of 15 Regional Planning Committee members but did not consult the other 10 members. She said John Sharood discovered that the numbers did not add up as far as he was concerned.

Other Board members Bob Domine and Norm Archer added that the budget is very complex issue and that the Board has taken no action.

Mr. Mead said he hopes that at Monday's meeting, the Board of Directors make it clear that it has not formed a conclusion.

Chris Perry also spoke on the issue of debt allocation.

12. Confirm Town Manager's appointment as Deputy Treasurer and Deputy Tax Collector.

Mr. Mead explained that this confirmation is necessary so that he can legally sign tax and financial documents.

Motion by Selectman Lanigan, seconded by Selectman Matthews-Bull, to confirm Town Manager Larry Mead's appointment as Deputy Treasurer and Deputy Tax Collector. **Vote:** 5-0.

13. Consider Arbor Day Proclamation.

Mr. Mead read the Proclamation.

Motion by Selectman Weston, seconded by Selectman Barwise, to approve the Arbor Day Proclamation. **Vote:** 5-0.

14. Consider the following tax abatements:

	Property Owner	Location	Map	Blk	Lot(s)	Tax Year 2009 Abatements
1	Peter & Catherine Fellenz	19 Prescott Drive	36	3	1A	\$60.23
2	Peter & Cynthia Gutterman	4 Belleglade Ave.	34	6	1	Denied
3	Peter & Cynthia Gutterman	4 Belleglade Ave.	34	6	8	Denied
4	Peter & Cynthia Gutterman	4 Belleglade Ave.	34	6	9	Denied
5	Eugene Gray	183 Kings Highway	34	1	29	Denied
	Total Abatements					\$60.23

Chairman Daggett read the list of tax abatements and denials of abatement. He explained that anyone who disagrees with this decision can contact Lisa at the Code Enforcement Office to file an appeal with the Board of Assessment Review.

Motion by Selectman Matthews-Bull, seconded by Selectman Barwise, to approve or deny the tax abatements per Assessor’s Agent Donna Hays recommendation. **Vote:** 5-0.

15. Other business.

Selectman Lanigan asked if granite curbing can be put in slanted. Mr. Mead responded that it can, it just depends on the location.

Selectman Lanigan asked if the curbing in front of Compliments will be repaired. Mr. Mead said it would.

Selectman Matthews-Bull announced the “Walk the Port” event sponsored by the Kennebunkport Business Association. It will be held on June 2, from 5:00 to 8:00 p.m. It will familiarize people with the Town. She said the Town is allocating free parking for this event.

Selectman Weston asked about the public launching at the end of Fishers Lane. He said there are private property signs. Mr. Mead will check this issue out and report back to the Board.

Mr. Mead announced that Town Meeting is in four weeks and encouraged everyone to attend.

16. Consideration of the May 13, 2010, Treasurer’s Warrant.

Motion by Selectman Barwise, seconded by Selectman Lanigan, to approve the May 13, 2010, Treasurer's Warrant. **Vote:** 5-0.

17. Adjournment.

Motion by Selectman Lanigan, seconded by Selectman Barwise, to adjourn the meeting. **Vote:** 5-0.

The meeting adjourned at 9:28 p.m.

Submitted by

Arlene McMurray
Administrative Assistant