

Town of Kennebunkport
Board of Selectmen Meeting
March 28, 2024
6:00 PM
Village Fire Station (32 North Street)

MINUTES

Selectmen attending: Mike Weston, Sheila Matthews-Bull, Allen Daggett, Jon Dykstra, Marybeth Gilbert.

1. Call To Order.

Chairman Weston called the meeting to order at 6:00 PM

2. Approve the March 7 joint meeting with the Budget Board minutes and March 14, 2024, selectmen meeting minutes.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the March 7 joint meeting with the Budget Board minutes and March 14, 2024, selectmen meeting minutes. **Voted: 5-0. 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.)

Robin Phillips asked when bids had been received for the reconstruction of the Cape Porpoise pier and when the project was scheduled to begin. She was concerned that the grants obtained for the project might expire. Laurie Smith, Town Manager, responded that the EDA grant expires in 2026 and the State SHIP grant is also good for a few more years. The bids were received last week, and the engineer is reviewing the bids now. Laurie expects a report from the engineer at the next Select Board meeting in April.

No motion was necessary. No motion was taken.

4. Public hearing on Chapter 160 Traffic and Vehicles § 160-27 Goose Rocks Beach parking stickers.

Motion by Selectman Dykstra, seconded by Selectman Daggett, to open the public hearing on Chapter 160 Traffic and Vehicles § 160-27 Goose Rocks Beach parking stickers. **Voted: 5-0. Motion passed.**

Laurie explained that parking stickers are currently required at Goose Rocks Beach from 8 am to 6 pm. A few years ago, the time that dogs were permitted on the beach in the summer changed from beginning at 6 pm to 5 pm. The proposed change to the end time of 5 pm for parking stickers aligns with the permitted dog walking time.

No member of the public, either in person or on Zoom, had any comment.

Motion by Selectman Dykstra, seconded by Selectman Matthews-Bull, to modify the traffic ordinance for parking at Goose Rocks Beach to require a parking sticker between the hours of 8 am and 5 pm. **Voted: 5-0. Motion passed.**

5. Review the final fiscal year 2025 budgets and make recommendations.

Chairman Weston noted that the municipal part of the tax commitment lowers the mil rate by 4 cents. However, the school budget increases the mil rate by 36 cents, and there's nothing the Kennebunkport Board of Selectmen or Budget Board can do about that, though the citizens can vote on the school budget in the RSU 21 budget vote on Monday, April 1st at Kennebunk Elementary School.

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to fund the General Government Program Expenses in the amount of \$2,444,608. **Voted: 5-0. Motion passed.**

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to fund the Public Safety Program Expenses in the amount of \$3,508,414. **Voted: 5-0. Motion passed.**

Motion by Selectman Daggett, seconded by Selectman Matthews-Bull, to fund the Health and Welfare Program Expenses in the amount of \$1,021,536. **Voted: 5-0. Motion passed.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to fund the Public Works Program Expenses in the amount of \$1,560,176. **Voted: 5-0. Motion passed.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to fund the Recreation, Culture, Contingency, and Miscellaneous Program Expenses in the amount of \$1,088,176. **Voted: 5-0. Motion passed.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to fund the Capital Expenses and Reserve Account and Debt Service Payments in the amount of \$3,774,845. **Voted:** 5-0. **Motion passed.**

Selectman Dykstra noted that the total municipal expenditures are \$13,397,755.

Chairman Weston asked if any members of the public had any questions or comments. There were none.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to close the public session. **Voted:** 5-0. **Motion passed.**

6. Public Safety Study presentation by Municipal Resources Inc.

David Houghton & David Bengston of Municipal Resources, Inc. presented the study they conducted on Kennebunkport's Fire Department and Kennebunkport Emergency Medical Services (KEMS). The study yielded 60 recommendations, the top few of which they addressed. They emphasized that these are recommendations, not mandates. The Fire Chief, Town Manager, & Board of Selectmen determine which recommendations should be addressed (or not) and in what order and timeline.

The key areas of concern regarding KEMS were:

- Consistent EMS level and staff to cover shifts 24x7.
- Continuous use of the endowment fund to cover operational costs.
- Lack of a backup ambulance.
- Increase the cost of doing business.
- A potential decrease in revenue.

The key areas of concern for the Fire Department were:

- Limited recruitment efforts for on-call personnel.
- Low availability of staff during workday hours.
- Consistent training of all members.
- Minimum training and participation standards.

Key recommendations for KEMS:

- KEMS should remain as a 501c3.
- The town should merge KEMS operations with the town government.
- KEMS should have a full-time officer reporting to the Fire Chief.

Key recommendations for the Fire Department & EMS operations:

- Create a mentoring program for new hires and future officers.
- Increase staffing at the Village Fire Station on North St. during the daytime hours.
- Create a pool of certified per diem staff.
- Determine what would motivate people to become responders.
- Develop and implement staff recruitment and retention strategies.
- Phase out the Wildwood station.
- Purchase the Goose Rocks station.
- Renovate the Village Fire Station to include living quarters and provide for 24x7 operations.
- Annual goal-setting workshop with the Select Board and Fire Chief to improve Fire and EMS services.
- Apply for grants for equipment, staffing & training.
- Move Fire and EMS dispatch to York County.
- Move the EMS primary from the Police Chief to the Fire Chief.

No motion was necessary. No motion was taken.

7. Consider the Climate Action Plan proposed by the Climate Action Planning Taskforce.

Chairman Weston provided a brief history of the Town's efforts to date in getting input from the public, establishing the Climate Action Planning Taskforce, and gaining grants for resiliency projects – most notably the Cape Porpoise pier renovation project.

Pam Morgan, Chair of the Taskforce, presented the Climate Action Plan. The purpose of the plan is to ensure that the Town will remain economically & environmentally viable in the future, position the Town to obtain State and Federal climate grants, protect the health and vitality of the Town, and prioritize existing funds strategically.

Our task force is part of the Southern Maine Planning and Development Commission (SMPDC), which allows us to communicate with and help neighboring towns work through this process. SMPDC provided us with 75 strategies to help with our climate goals. The taskforce went through this list to refine it to those items that are most applicable to Kennebunkport.

The task force solicited public input and did a workshop with the Select Board to present the work done thus far. The takeaway message was that the taskforce should simplify and reduce the number of strategies and remove any proposed mandates. The taskforce reduced the number of strategies from 26 to 19, clarified language and removed mandates. The strategies are in three categories: build resiliency, reduce

emissions, and enable action. The plan consists of recommendations only. Should any of the strategies require funding, they would go through the usual Town budget review process. Should any of them require Town ordinance changes, they would require approval by the Select Board and then the voters. The taskforce asked the Board to adopt the climate action plan.

The Board proceeded to discuss each of the Climate Action Plan recommendations. Much of the conversation centered on item 4.4 “Consider hazard disclosure for property transactions”.

The public was invited to comment.

Charlie Arnold expressed his support for the elements of the plan that deal with disaster preparedness and the usefulness of having the plan to obtain grants but was concerned that suggestions would turn to mandates. He questioned what might happen in the future regarding climate, saying he believed there is a lot of uncertainty in the scientific community.

Susan Boak stated that she wanted a plan that focuses on Kennebunkport, what can be done to remediate storm damage and address known areas of concern in town and avoid raising controversial political issues.

John Ripton pointed out that predictions of the consequences of climate change have underestimated the rapidity and severity of changes and that 97% of the scientific community agrees that climate change is real and anthropogenic.

Cynthia Domine expressed her concern in promoting electric vehicles (EVs) when informed earlier in the meeting during the public safety study presentation that EV battery fires are extremely difficult to put out. She would also like to see mention of recycling & composting in the plan.

Bob Domine voiced his opposition to the plan, saying it would quickly devolve into demanding what should and should not be done by local residents, when in his opinion such actions will make no difference to weather or climate.

Tanya Alsberg, via Zoom, expressed her gratitude for those who have put effort into the plan and her support for the plan.

Mindy Muse also expressed her gratitude and support for the taskforce and encouraged a “yes” vote by the Select Board.

Diane Jenkins said that she supports a framework to move forward and supports approval of the plan.

Motion by Selectman Dykstra, seconded by Selectman Daggett, to approve the plan as presented by the Climate Action Planning Taskforce, with the amendment that item 4.4. "Consider hazard disclosure for property transactions" be removed. **Voted: 5-0. Motion passed.**

8. Annual appointment of Town Officers.

Tracey O'Roak, Town Clerk, said that the Town Officers are the same as last year, with the one exception that there's a vacancy for Code Officer. That will soon be filled by a new hire.

Motion by Selectman Dykstra, seconded by Selectman Matthews-Bull, to approve slate of officers as listed. **Voted: 5-0. Motion passed.**

9. Appointment of the Ballot Clerks.

Tracey explained that ballot clerks need to be appointed every two years for a two-year term. The Select Board has been presented with a list of those who indicated they are interested in serving. Though every candidate will not be selected for every election, this provides a pool for Tracey to choose from.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the list of Ballot Clerks. **Voted: 5-0. Motion passed.**

10. Consider the request to amend the Ladder truck equipment.

Jay Everett, Fire Chief, explained that there are now two options for the ladder truck ordered 18 months ago that were not available at that time. He recommended that we amend the order to add: 1) seats with zip off covers that can be laundered thereby reducing firefighter exposure to carcinogens; 2) a spray coating that inhibits corrosion thereby increasing vehicle longevity, to be applied to the entire frame and suspension of the truck instead of just certain frame components.

Motion by Selectman Gilbert, seconded by Selectman Daggett, to authorize the amendment to the ladder truck order in the amount of \$7,002.91. **Voted: 5-0. Motion passed.**

11. Consider a proposal from Sebago Technics for the Village Fire Station Programming Study and Analysis.

Laurie informed the Board that a study had been done, but it was in 2019. There is a need for a new study considering anticipated need for bunk space for per diem firefighters and possibly EMS staff, and also taking into consideration the possibility of a new Town Hall being located adjacent to the fire station or on the Village Parcel.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to have Sebago Technics perform the Village Fire Station Programming Study and Analysis for \$42,000.

Voted: 5-0. Motion passed.

12. Town Hall Building Committee update.

Chairman Weston informed everyone that another meeting had taken place. Kevin McDonnell & Allan Evelyn analyzed public survey results and cited four major reasons for a “no” vote from the public last November: the plan was too expensive, the proposed building was too large, environmental concerns, and low trust from the public. The group discussed transparency and the need to engage with the public. The group discussed where a new, smaller than previously proposed Town Hall could be located – adjacent to the fire station or on the Village parcel. The proposed floor plan would be smaller, with cubicles and open space instead of private offices. Allan Evelyn, the committee member, added that the possibility of making the building two stories was considered, with a footprint of approximately 11,200 square feet. The report is available on the Town website.

No motion was necessary. No motion was taken.

13. Consider the Goose Rocks Beach Advisory Committee's recommendation to fund the Piping Plover Education Coordinator for \$4,000.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the Goose Rocks Beach Advisory Committee's recommendation to fund the Piping Plover Education Coordinator for \$4,000. **Voted: 5-0. Motion passed.**

Selectman Dykstra noted that it was hoped to start the Plover Coordinator a bit earlier this year and it would be nice to have T-shirts printed for the volunteers. He, therefore, suggested that the funding level be increased to \$5,000.

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the Goose Rocks Beach Advisory Committee's recommendation to fund the Piping Plover Education Coordinator for \$5,000. **Voted: 5-0. Motion passed.**

- 14. Consider the Goose Rocks Beach Advisory Committee's recommendation to expend \$8,500 on dune plantings, stakes and twine projects.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the Goose Rocks Beach Advisory Committee's recommendation to expend \$8,500 on dune plantings, stakes and twine projects. **Voted: 5-0. Motion passed.**

- 15. Accept a \$300.00 donation from Kathleen Doyle for the Cape Porpoise Pier.**

Motion by Selectman Matthews-Bull, seconded by Selectman Gilbert, to accept a \$300.00 donation from Kathleen Doyle for the Cape Porpoise Pier. **Voted: 5-0. Motion passed.**

- 16. Accept a \$50.00 donation from an anonymous donor for the nurses' account.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to accept a \$50.00 donation from an anonymous donor for the nurses' account. **Voted: 5-0. Motion passed.**

- 17. Other Business.**

Selectman Gilbert thanked Selectman Dykstra for his efforts in assisting the Kennebunkport Conservation Trust with their dune rebuilding efforts.

Laurie said that the goal of the revaluation is to be at 100%. The audit results received this week stated that we are at 92%. We can declare at 100% for exemption purposes because we are within 10% of the goal. Assessor Becky Nolette is working on revaluation now, and it should be complete in June.

No motion was necessary. No motion was taken.

- 18. Approve the March 28, 2024, Treasurer's Warrant.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to approve the March 28, 2024, Treasurer's Warrant. **Voted: 5-0. Motion passed.**

- 19. Adjournment.**

Motion by Selectman Matthews-Bull, seconded by Selectman Daggett, to adjourn. **Voted: 5-0. Motion passed.** Meeting adjourned at 8:51 PM.

Submitted by,
Dave Powell,
Technology Specialist