

KITTERY TOWN COUNCIL

August 11, 2008

Council Chamber

1. CALL TO ORDER

Chairperson Thomson called the meeting to order at 6:59 p.m.

2. INTRODUCTORY

Chairperson Thomson read the Introductory.

3. PLEDGE OF ALLEGIANCE

Chairperson Thomson led those present in the Pledge of Allegiance.

4. ROLL CALL

Answering the roll were Councilors Jeffery Brake, Frank Dennett, George Dow, Judith Spiller, Glenn Shwaery and Chairperson Jeffery Thomson. Also present were Town Manager Jon Carter, Municipal Intern Chad Burbank, members of the press and others.

The Chair noted the absence of Councilor Grinnell due to a death in the family.

5. ACCEPTANCE OF PREVIOUS MINUTES

The Minutes of July 28, 2004 were accepted, as amended.

Councilor Spiller made note of line 134 that Councilor Spiller had not attended a meeting with Representatives of Rice Public Library as the minutes read.

Councilor Shwaery amended page 6 line 245 to read 286 ROUTE 1.

6. Interviews for the Zoning Board of Appeals, Planning Board or Cable Television Rate Regulation Board- **None**

7. PUBLIC HEARING

a. (080108-01) The Kittery Town Council moves to hold a public hearing on the application of Route 1 Fun, LLC for a Malt and Vinous Liquor License for Play on Fun Center, 506 US Route 1.

Chairman Thomson opened the Public Hearing and hearing no response, closed the Public Hearing.

COUNCILOR SPILLER MOVED TO APPROVE THE APPLICATION OF ROUTE 1 FUN, LLC FOR A MALT AND VINOUS LIQUOR LICENSE FOR PLAY FOR FUN CENTER, 506 US ROUTE 1, SECONDED BY COUNCILOR BRAKE.

Councilor Shwaery commented that item 4 on the application had not been completed, and hoped that the Town Clerk would be more vigilant in screening applications in the future.

Councilor Dow inquired as to whether food would be served on the premises, given that Alcohol would be served. Town Manager Carter noted that because alcohol was served on the premises, then food would be served as well.

Councilor Shwaery affirmed, noted that victualers license would be a separate issue.

A ROLL CALL VOTE WAS TAKEN, WITH ALL IN FAVOR. MOTION PASSES 6/0.

8. DISCUSSION

- a. Discussion by members of the public (three minutes per person)

Rep. Walt Wheeler announced forum for citizen heating fuel costs with Sen. Bowman from 6:30 to 8:00 Wednesday, August 13th.

9. UNFINISHED BUSINESS
No Unfinished business.

10. NEW BUSINESS

- a. (080108-2) The Kittery Town Council moves to approve the disbursement warrants.

Chairman Thomson listed the following warrant:

Town Warrant No. 12 Town Accounts Payable \$616,291.08

COUNCILOR SHWAERY MOVED TO APPROVE THE DISBURSEMENT WARRANT, SECONDED BY COUNCILOR SPILLER.

A ROLL CALL VOTE WAS TAKEN, ALL IN FAVOR. MOTION PASSES 6/0.

- b. (080108-3) The Kittery Town Council moves to appoint Deborah Driscoll to the Board of Assessment Review as a full member until 12/11/10. (Replacing Cynthia Cable whose term expired 12/31/07).

COUNCILOR SPILLER MOVED TO APPOINT DEBORAH DRISCOLL TO THE BOARD OF ASSESSMENT REVIEW AS A FULL MEMBER UNTIL 12/11/10, SECONDED BY COUNCILOR DOW.

A ROLL CALL VOTE WAS TAKEN, ALL IN FAVOR. MOTION PASSES 6/0.

- c. (080108-4) The Kittery Town Council moves to approve a request from the Knights of Columbus to hold a fundraiser at the Solid Waste Facility on September 6, 2008 from 9:00 a.m. to 1:00 p.m.

Discussion:

Jim Blackwood of the Knights of Columbus noted that fundraiser was for handicapped or physically challenged children's charities.

COUNCILOR SPILLER MOVED TO APPROVE THE REQUEST FROM THE KNIGHTS OF COLUMBUS TO HOLD A FUNDRAISER AT THE SOLID WASTE FACILITY ON SEPTEMBER 6, 2008 FROM 9:00 a.m. to 1:00 p.m., SECONDED BY COUNCILOR BRAKE

A ROLL CALL VOTE WAS TAKEN, ALL IN FAVOR. Motion Passes 6/0.

d. (080108-5) The Kittery Town Council moves to authorize the receipt of \$22,999.99 from the sale of a 1986 GMC tanker/pumper truck to go into the Fire Department equipment reserve fund.

Discussion:

Councilor Dennett moves to approve the request from the Town Manager to authorize the receipt of \$22,999.99 from the sale of a 1986 GMC tanker/pumper truck to go into the Fire Department equipment reserve fund, seconded by Councilor SPILLER. Motion Passes 6/0.

e. other

12. COMMITTEE AND OTHER REPORTS

Councilor Dennett noted the letter from Maine Bureau of Parks and Lands thanking the Town of Kittery for the donation of money towards playground construction.

Town Manager Carter noted that labor in the form of public works employees had been sent, and believed this to be the reason for the thank you note. No money had been sent from the Town of Kittery.

Chairman Thomson asked whether it could be a boilerplate letter.

Councilor Shwaery recently attended the Kittery Naval Museum, and commented that new installations were well done.

Councilor Shwaery has also received e-mails and phone calls about congestion and parking issues on Chauncey Creek Road. Random drives by the Councilor had noted several parked cars with tires left on road, against state law.

Councilor Shwaery attended a workshop with Congressman Allen in Portland. Commented that all levels of government are raising as much money as possible, but there is not much money going towards long term solutions, such as winterization of homes.

Councilor Shwaery inquired whether there would be any more input from the Town Council on the School Bond issue as it goes forward. Chairman Thomson agreed that no, there would be none.

Town Manager Carter noted that it would be some time before bids and architectural drawings are put together. In the future, there would be lots of input from

the Council, but until the School Committee comes back with plan, none.

Chairman Thomson envisioned more conversations between School Committee and Town Council as project moves forward.

Councilor Brake asked about progress on Route 1 rebuild project.

a. Communications from the Chairperson

b. Town Manager's Report

The Town Manager reported that there would be a Route 1 Pre-Construction meeting on August 14th, at 9:00 a.m. This will be final meeting for contractors and utilities before construction begins. Councilors are welcome to attend, but this meeting was not a proper forum for public input.

The Town Manager thanked the Harbor Garden Club for their work around the Municipal Complex and different parks around the community. The Manager said that the gardens around the complex and naval museum were in such good shape because of the Harbor Garden Club's hard work.

The Town Manager announced the dedication of Ft. McClary Playground Equipment –Sunday August 17th at 1PM. Brand new equipment had been paid for and installed with private funds.

The Town Manager reminded Council of Joint Workshop with Planning Board on August 28, 2008 at 6PM.

Lastly, the Town Manager reminded Council that the Manager and the Municipal Intern would be attending the Annual Manager's Institute from August 20-22, 2008 and that the Town Clerk, Maryann Place would be charged in his place.

c. Committee Reports

13. ADJOURNMENT

**CHAIRPERSON THOMSON MOVED TO ADJOURN THE MEETING AT 7.25 P.M.,
SECONDED BY COUNCILOR DOW, WITH ALL IN FAVOR.**