OFFICIAL RETURN OF VOTES
BUDGET VALIDATION REFERENDUM
TOWN OF KITTERY
JUNE 8, 2010

At a legal meeting of the inhabitants of the Town of Kittery, in the County of York, qualified to vote, held on the 8th day of June, 2010, the said inhabitants gave in their votes for the 2010-11 School Budget. The same were received, sorted, counted and declared in open meeting by the Warden who presided and in the presence of the Clerk, who formed a list of the persons voted for, and made a record thereof, as follows to wit:

THE TOTAL NUMBER OF BALLOTS CAST WAS 1500.

Do you favor approving the Town of Kittery School Budget for the upcoming school year that was adopted at the May 26, 2010 Town Council meeting?

YES	1120
NO	295
BLANK BALLOTS	84

Do you wish to continue the budget validation referendum process in the Town of Kittery for an additional three years?

YES	998
NO	420
BLANK BALLOTS	81

Joyce Tobey
WARDEN

Sarah A. Lutts
DEPUTY WARDEN

CERTIFICATE OF ELECTION
TOWN MEETING
JUNE 8, 2010

I, Joyce Tobey, duly elected Moderator, do hereby certify the following to be the true results of the Town Meeting Election held in Kittery on Tuesday, June 8, 2010. Said election was held in accordance with the provisions of M.R.S. 30-A.

TOTAL VOTES CAST 1673

Article 2: Shall the Town vote to authorize Town Council to transfer up to $75,000 from unencumbered surplus and appropriate and expend up to $75,000 to bring the Balance in the Employee Accumulated Leave Reserve Fund to a positive balance and when necessary to pay for Accrued Vacation and /or Sick leave to settle any unpaid benefits owed to retiring employees in FY'11?

Town Council Recommends - Vote: Yes 7 No 0

YES 1181 NO 438

Article 3: Shall the Town vote to authorize Town Council to transfer an amount not to exceed $25,000 from unencumbered surplus when necessary and appropriate and expend up to $25,000 for the purpose of paying the Town's cost on accepted insurance claims against the Town?

Town Council Recommends - Vote: Yes 7 No 0

YES 1245 NO 364

Article 4: Shall the Town vote to authorize Town Council to transfer an amount not to exceed $100,000 from unencumbered surplus when necessary and appropriate and expend up to $100,000 for the purpose of providing the Town's match to Federal, State and Non-Profit grants?

Town Council Recommends - Vote: Yes 7 No 0

YES 1254 NO 355

Article 5: Shall the Town vote to authorize Town Council to transfer from unencumbered surplus an amount not to exceed $40,000 when necessary and to appropriate and expend said amount to cover shortfalls in FY'11 fuel account budgets in town departments due to the unpredictable fuel pricing markets for electricity, propane, natural gas, diesel, number 2 oil and unleaded gasoline?

Town Council Recommends - Vote: Yes 7 No 0

YES 1160 NO 345

Article 6: Shall the Town vote to raise by taxation $57,200 and to appropriate and expend up to $57,200 for funding the fourth year of the mosquito and tick monitoring and control program for the Town of Kittery?

Town Council Recommends - Vote: Yes 4 No 3

YES 847 NO 677

Article 7: Shall the Town vote to authorize Town Council to transfer an amount not to exceed $40,000 from unencumbered surplus when necessary and to appropriate and expend said amount for the purpose of providing the Town of Kittery General Assistance program as required by Town, State and Federal laws?

Town Council Recommends - Vote: Yes 7 No 0

YES 1169 NO 343

Joyce Tobey
Joyce Tobey, Moderator

6/8/10
Date

A true copy

ATTEST: _____
Town Clerk

OFFICIAL RETURN OF VOTES
MUNICIPAL REFERENDUM ELECTION
TOWN OF KITTERY
JUNE 8, 2010

At a legal meeting of the inhabitants of the Town of Kittery, in the County of York, qualified to vote, held on the 8th day of June, 2010, the said inhabitants gave in their votes for the following referendum questions: to amend Section 16.28.490 of the Kittery Land Use and Development Code and to amend the Town Charter Article XIV. Town Meeting, Section 14.03. The same were received, sorted, counted and declared in open meeting by the Warden who presided and in the presence of the Clerk, who formed a list of the persons voted for, and made a record thereof, as follows to wit:

THE TOTAL NUMBER OF BALLOTS CAST WAS 1664.

Referendum #1: Shall the proposed ordinance to amend Section 16.28.490 of the Kittery Land Use and Development Code dealing with the authority of the Kittery Conservation Commission to deny wetland permits a copy of which is printed herein, be adopted?

16.28.490 Enforcement.
~~Enforcement of the provisions of this article shall be in accordance with Chapter 16.16, Administration and Enforcement. The Kittery conservation commission (KCC) is empowered to deny a wetlands permit for the applicant's failure to meet the requirements of Article XII of the Kittery land use and development code zoning ordinance; to submit necessary information and plans requested by the KCC; to meet the design specifications; performance standards; and to avoid or prevent unacceptable significant or cumulative affects upon the wetland resource areas or interests protected by the Kittery land use and zoning ordinances; or where it finds that no conditions are adequate to protect such values and interests. (Ord. 3a-07 (part): land use and dev. Code § 7.12.12, 1994)~~

The provisions of this Article XII Conservation of Kittery Wetlands, including vernal pools, are to be administered and enforced pursuant to the provisions of Chapter 16.16, Administration and Enforcement.

YES	1179
NO	364
BLANK BALLOTS	121

Referendum #2: Shall the Town of Kittery approve the Charter Amendment reprinted below?

Article XIV. Town Meeting

Sec. 14.03. Town meeting eligibility.

The provisions of Title 30-A to the contrary notwithstanding, only the following are subject to disposition through a municipal election, preceded by a public hearing, or through a town meeting as provided herein:

(1) Amendment, change, revision or repeal of the comprehensive plan, or adoption of a new comprehensive plan.

(2) Sale~~, lease, or management control~~ of real property excepting property acquired for non payment of taxes.

(3) That part of the capital program which is proposed for the ensuing fiscal year.

(4) Unless fully-funded by bond issue under Sec. 6.07, or by a dedicated reserve account, any expenditure greater than $125,000, as long as that expenditure does not cause the unencumbered surplus to fall below an amount equal to the

equivalent of 2½ months of the current year operating budge, per item, project, or an aggregate of same, for:

(a) Acquisition of real property;
(b) Acquisition of motor vehicles or equipment; or
(c) Repair, renovation, or new construction of buildings or structures.

(5) Unless an emergency appropriation under Sec. 6.09 (2), any appropriation greater than $125,000:

(a) From the unencumbered surplus; or
(b) Which is supplemental to the current annual budget.

YES	1057
NO	459
BLANK BALLOTS	148

Joyce Tabery
WARDEN

Sandra A. Watts
DEPUTY WARDEN

A true copy
ATTEST: _____
Town Clerk