

Kittery Town Council Approved Minutes  
April 22, 2019  
Regular Meeting  
Town Hall – Council Chambers  
WORKSHOP  
Kittery Athletic Field Improvement Committee Workshop 5:00pm

1. Call to Order

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilors present: Charles Denault, Jeffrey Pelletier, Jeffrey Thomson, Cyrus Clark  
Kenneth Lemont, Vice Chair Matt Brock, and Chair Judith Spiller.

5. Agenda Amendment and Adoption

Chair Spiller added item I to New Business.

6. Town Manager's Report

Town Manager reported on: Shared Dispatch Services, Financial Report FY2019,  
Annual Goal Report, and Fort Foster Path Repair. Upcoming dates Library  
Design Workshop April 24, 2019 6 p.m., Kittery Community Center, and Drug  
Take-Back Day April 27, 10 a.m. – 2 p.m., Kittery Police Department.

7. Acceptance of Previous Minutes – None

8. Interviews for the Board of Appeals and Planning Board – None

9. All items involving the town attorney, town engineers, town employees or other town  
consultants or requested officials.

(040219-1) The Kittery Town Council moves to receive a presentation by Jessa Kellogg,  
Shoreland Resource Officer/Stormwater Coordinator and Kristie Rabasca from  
Integrates Environmental Engineering on the MS4 Permit for Stormwater Discharges.

Kristie Rabasca gave the MS4 General Permit presentation. Jessa Kellogg did not  
attend.

Vice Chair Brock and Kristie Rabasca discussed the presentation.

10. PUBLIC HEARINGS

(040219-2) The Kittery Town Council moves to hold a public hearing for a New  
Victualer's License application for El Grand Rodeo, 230 US Route 1 Bypass Kittery,  
Maine.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried - 7-0-0

(040219-3) The Kittery Town Council moves to hold a public hearing for a New Victualer's License application for LoveBird's Donuts 450 US Route 1 Kittery, Maine.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried - 7-0-0

Discussion between Councilors Denault, Lemont, Thomson, Pelletier, Vice Chair Brock, Chair Spiller, and Town Manager about LoveBirds being issued a 2-day limited permit that would allow the business to operate on the sidewalk, but LoveBirds continued operating beyond the 2-days which was a violation. Also discussed if fines should be issued to LoveBirds.

Councilor Thomson moved for an Amendment to his motion to ask the appropriate Town staff to review the circumstances of the past two weeks with this establishment to make their determination if some further action on the behalf of the town would be warranted., seconded by Councilor Pelletier.

Councilor Denault, Councilor Lemont, Councilor Thomson, Councilor Clark, and Vice Chair Brock voted to approve.

Chair Spiller and Councilor Pelletier voted not to approve.

Motion Carried - 5-2-0

(040219-4) The Kittery Town Council moves to hold a public hearing regarding Title1-KPA Fines.

Town Manager gave an overview of Title1-KPA Fines.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried - 7-0-0

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person) - None
- b. Response to public comment directed to a particular Councilor - None
- c. Chairperson's response to public comments - None

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.

(040219-5) The Kittery Town Council moves to accept donations in the amount of \$4,370 to be deposited into the Thresher Memorial Fund.

- John Pearson & Elinor Lamson
- Perry Plumbing & Heating, Inc.
- Terence Malloy
- Randall and Sharen Spratt
- Bib and Karen Longcrier
- David and Carol Ogilvie

- Arnold and Catherine Harrison
- Walter Allen
- John Robbins and Shaye McGann
- Michael Fiandaca
- Thomas and Pamela Clairmont
- Two Sons, LLC
- Anne and Steven Barton
- Patricia and Vaughn Kailian
- Bob McGinness
- H. Lauren Gallant
- Irene and David Couture
- Sophia Scontras
- William and Constance Parsons
- Alalia and Frederick Thaler
- Richard and Suzanne Bicknell
- Gail Tanner
- Alfred and Cynthia Benton
- Lorraine Wheeler-Salt River Farm
- The Fabulous Find

Moved by Councilor Thomson, seconded by Councilor Denault.

Motion Carried- 7-0-0

- b. (040219-6) The Kittery Town Council moves to approve the disbursement warrants.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- c. (040219-7) The Kittery Town Council moves to schedule a public hearing for May 29, 2019 for Title 8 E-911 Street naming.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- d. (040219-8) The Kittery Town Council moves to approve a request from the Veterans of Foreign Wars, Kittery/Eliot Memorial Post 9394 to hold their Memorial Day Parade and Ceremonies on May 25, 2019.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- e. (040219-9) The Kittery Town Council moves to approve a request from the National Multiple Sclerosis Society, Greater New England Market, Bike MS event. Their cyclists will be biking through Kittery, Saturday, August 24, 2019.

Moved by Councilor Denault, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- f. (040219-10) The Kittery Town Council moves to approve a renewal Liquor

License application from Anju Noodle Bar 7 Wallingford Square Unit 102, Kittery.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- g. (040219-11) The Kittery Town Council moves to appropriate \$50,000 of Unassigned Funds in accordance with Warrant Article 7, approved on June 12, 2018 for the LED Street Lighting conversion project.

Town Manager gave an overview of the LED Street Lighting conversion project.

Moved by Councilor Denault, seconded by Councilor Pelletier.

Motion Carried- 7-0-0

- h. (040119-12) The Kittery Town Council moves approve the Emergency Management Plan.

Moved by Councilor Denault, seconded by Councilor Pelletier.

Fire Department Chief David O'Brien gave an overview of the Emergency Management Plan.

Motion Carried - 7-0-0

- i. Kittery Town Councilor moves the appointment of Deborah Driscoll to the Kittery Climate Adaptation Committee Business Representative.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried - 7-0-0

#### 14. COUNCILOR ISSUES OR COMMENTS

Vice Chair Brock discussed green space in Kittery Foreside.

Councilor Denault discussed Earth Day, lost dog on Litchfield and Picott Road as well as Riley Way, and the passing of Carl Dawson and former Kittery Police Officer Ronald Vermette. Recognizing the Kittery Color Guard for attending Ronald Vermette's funeral Chief Robert Richter, Sargent Gary Eaton, Detective Brian Cummer, Officer Zach Harmon, Officer Ben Cyr, and Officer Greg Caldwell.

#### 15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson

Chair Spiller discussed the lights on Government and State, as well as Walker and State traffic still turning into the crosswalk, Earth Day, speeding on 103, and Public Hearing on May 6, 2019 at 6 p.m. on the Town and School Budget.

- b. Committee Reports - None

#### 16. EXECUTIVE SESSION - None

#### 17. ADJOURNMENT

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting. Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.