

1. Call to Order

Chairperson Beers called the meeting to order at 7:00 p.m.

2. Introductory

Chairperson Beers read the introductory.

3. Pledge of Allegiance

Chairperson Beers led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault, Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Judith Spiller, and Kenneth Lemont.

5. Agenda Amendment and Adoption

The agenda was adopted, as proposed.

6. Town Manager's Report

Town Manager Amaral reviewed her written report.

**Highpointe Circle and Quiet Pines** – The development is moving forward and it does not require Highpointe Circle to be accepted as a public way. The Town continues to stay in contact with Mr. Sparkowich regarding the public way acceptance and the Quiet Pines development project.

**Vehicle Registration and Traffic Enforcement** – The Police Chief is currently developing a program to address registration violations that will include public service announcements and targeted enforcement. Increased traffic enforcement has been implemented on Wyman Avenue.

**Code Enforcement** – She provided an update on three code enforcement cases being addressed by the Code Enforcement Officer on Bartlett Road, Brave Boat Harbor Road, and Armour Drive.

**Crosswalk Improvements on Badgers Island** – MaineDOT advised the Town they will be able to pay for crosswalk improvements on Badgers Island to upgrade and/or establish ADA crosswalks at three of the four crossings at Island Ave and Badgers Island West.

**Best Automotive and Town Abandoned Right of Way** – The update of the tax maps is underway and will properly reflect the ownership of the right-of-way along the property of Best Automotive.

**Marijuana Presentation** – A presentation called *Legalization: Perspectives from the Marijuana Industry in Maine* will be held on June 29<sup>th</sup> 6:00 PM at Traip Academy and is open to the public. Additional information will be presented to the Planning Board and Town Council in July to begin developing draft ordinances regarding marijuana.

**Upcoming Dates** – The following upcoming events were announced:

- Legalization: Perspectives from the Marijuana Industry in Maine – Thursday, June 29<sup>th</sup>, 6:00 PM, Traip Academy Gym
- National Night Out – Tuesday, August 1<sup>st</sup>, 6:00-8:00 PM, Kittery Community Center

Town Manager Amaral reviewed items not included in her written report.

**Memorial Circle Project** – The bid received for the project is \$100,000 over budget. Total State and Federal funds received is \$90,000 and the Town is responsible for \$10,000.

**Mary's Store Property** – The former Mary's Store structure has been demolished. All, except two registered busses have been removed on that property which generated \$13,000 in proceeds for the Town that will help offset legal and other costs related to the situation.

Vice Chairperson Denault noted the crosswalk light timing at the intersection of Walker Street and Route 1 needs to be evaluated.

7. Acceptance of Previous Minutes

The minutes of June 12, 2017 regular meeting were adopted, as presented.

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

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

a. (060217-1) Kittery Town Council moves to approve amendments to Fort Foster Park Rules and Regulations F. SPECIAL EVENTS.

**A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE AMENDMENTS TO FORT FOSTER PARK RULES AND REGULATIONS, AS PRESENTED, SECONDED BY COUNCILOR SPILLER.**

Chairperson Beers highlighted the proposed revision that will allow the Town Manager to review and approve special events that will expedite the current request process.

**THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

10. PUBLIC HEARINGS – None.

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

(060217-2) The Kittery Town Council moves to receive a donation in the amount of \$213 from the Pease Golf Course Monday Night Men's and Women's Golf Leagues to be deposited in account #2063-43600 KCC Donations.

Councilor Spiller noted the donation was made in memory of Casey Savage.

**COUNCILOR SPILLER MOVED TO ACCEPT THE DONATION WITH THANKS, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

b. (060217-3) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$199,110.25.

Sewer account payable of \$11,530.81.

School accounts payable of \$181,102.32.

Tax refunds of \$38,770.61

Total of all disbursement warrants of \$430,513.99.

Chairperson Beers stated that the Town and Sewer warrants are in due form. Councilor Pelletier that the School warrants are in due form.

**COUNCILOR THOMSON MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.**

c. (060217-4) The Kittery Town Council moves to approve a renewal application from WLH Management Corp., 149 Mendums Landing, Barrington, NH 03825 for a Malt, Spirituous and Vinous Liquor License for Warren's Lobster House, 11 Water Street.

**COUNCILOR THOMSON MOVED TO APPROVE THE APPLICATION, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

d. (060217-5) The Kittery Town Council moves to approve an amendment to the current Liquor License for Woodland Farms Brewery, 306 US Route 1 Suite C, to serve alcohol on their outside patio.

**COUNCILOR SPILLER MOVED TO APPROVE THE LIQUOR LICENSE AMENDMENT, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

e. (060217-6) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview George V. Dow, IV for his appointment from an alternate to a full member to that board until 12/31/19.

**COUNCILOR THOMSON MOVED TO APPOINT GEORGE V. DOW, IV WITHOUT BENEFIT OF AN INTERVIEW, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

f. (060217-7) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview Shaye Robbins for her appointment to the Parks Commission as an alternate member until 12/31/19.

**COUNCILOR THOMSON MOVED TO APPOINT CHAIRPERSON BEERS TO INTERVIEW SHAYE ROBBINS, SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

g. (060217-8) The Kittery Town Council moves to approve a Pole Location Permit for Northern New England Telephone Operations LLC and Central Maine Power Company, to install one new Pole #227/51 1/2 [114H] on US Route 1, approximately 60 feet Westerly of intersection of the center line of Lewis Road.

**COUNCILOR SPILLER MOVED TO APPROVE THE PERMIT, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

h. (060217-9) The Kittery Town Council moves to schedule a public hearing on July 10, 2017 to ordain proposed amendments to Title 16 of the Kittery Town Code.

**COUNCILOR THOMSON MOVED TO SCHEDULE A PUBLIC HEARING, SECONDED BY VICE CHAIRPERSON DENAULT.**

Chairperson Beers noted he will be seeking legal opinion regarding the proposed standard related to traffic and circulation standards.

**THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

i. (060217-10) The Kittery Town Council moves to schedule a public hearing for July 10, 2017 to amend Title 10 of the Kittery Town Code as an emergency ordinance.

**COUNCILOR SPILLER MOVED TO SCHEDULE A PUBLIC HEARING, SECONDED BY VICE CHAIRPERSON DENAULT.**

Chairperson Beers and Councilor Dennett suggested revisions to the drafted ordinance.

**THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

j. (060217-11) The Kittery Town Council moves to hereby adopt a resolution to extend the Kittery Sewer Department budget adoption deadline by one month.

**COUNCILOR THOMSON MOVED TO ADOPT THE RESOLUTION, SECONDED BY VICE CHAIRPERSON DENAULT.**

Town Manager Amaral provided a brief rationale for the resolution.

**THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

k. (060217-12) The Kittery Town Council moves to schedule a public hearing for July 10, 2017 to adopt the 2017-2018 Sewer Budget.

**COUNCILOR THOMSON MOVED TO SCHEDULE A PUBLIC HEARING,**

**SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

1. (060217-13) The Kittery Town Council moves to authorize the Town Manager to enter into a multi-year Residuals Management Service Agreement with New England Waste Services of ME, Inc., (d/b/a Casella Organics) and the Town of Kittery.

**COUNCILOR THOMSON MOVED TO AUTHORIZE THE TOWN MANAGER TO ENTER INTO A MULTI-YEAR RESIDUALS MANAGEMENT SERVICE AGREEMENT WITH NEW ENGLAND WASTE SERVICES OF ME, INC., (D/B/A/ CASELLA ORGANICS) AND THE TOWN OF KITTERY, SECONDED BY COUNCILOR PELLETIER.**

Discussion was had regarding the non-appropriation clause and it was decided that a clause be added into the agreement allowing for automatic contract renewal contingent upon an appropriated obligation each fiscal year.

**THE MOTION PASSED BY A ROLL CALL VOTE 6/1/0, WITH COUNCILOR DENNETT OPPOSED.**

**14. COUNCILOR ISSUES OR COMMENTS**

Councilor Lemont asked for clarification regarding new signage in Town installed by the State. Town Manager Amaral explained the new signage system assists motorists in the event of an emergency and she has requested from the State additional public information.

Councilor Spiller noted that Haley Road is being repaved and passed on resident requests to address the road shoulders.

Vice Chairpsn Denault thanked the Town Manager for assistance with a situation on Bartlett Road and he advised the public to be cautious driving with children out of school.

**COUNCILOR THOMSON MOVED TO SUSPEND THE RULES OF ORDER TO BEGIN THE TOWN COUNCIL REGULAR MEETINGS OF JULY 10, 2017, AUGUST 14, 2017, AND AUGUST 28, 2017 AT 5:30 PM, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A ROLL CALL VOTE 6/1/0, WITH COUNCILOR DENNETT OPPOSED.**

Councilor Thomson provided a background regarding annual referendum votes in the Town. In the past, the Town sent sample warrant ballots by mail to help raise awareness regarding upcoming local elections. That method was found to be ineffective at increasing voter turnout. In the most recent election, a public hearing was held prior to the election and public notice was made in various locations.

**15. COMMITTEE AND OTHER REPORTS**

- a. Communications from the Chairperson – None.
- b. Committee Reports

Councilor Spiller noted the York River Study Committee is undergoing five studies that will all

go into a management plan to be presented to each Town in York County.

16. EXECUTIVE SESSION – None.

17. ADJOURNMENT

**A MOTION WAS MADE BY COUNCILOR THOMSON TO ADJOURN THE MEETING AT 7:40 P.M., SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.**

Submitted by Marissa Day, Minutes Recorder, on July 3, 2017.

*Disclaimer: The following minutes constitute the author's understanding of the meeting. While 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 at <http://www.townhallstreams.com/locations/kittery-maine>.*