

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, Kenneth Lemont, Judith Spiller, and Jeffrey Thomson.

5. Agenda Amendment and Adoption

Agenda was adopted as amended.

6. Town Manager's Report

Town Manager Amaral reviewed her written report.

Resource Recovery Center – Data was collected over a 40-day period and revealed about 3.3% of all Resource Recovery stickers were non-compliant. Stickers will now be issued at the time of annual vehicle registrations.

Legislative Delegation – Senator Dawn Hill, Representative Deane Rykerson, and Representative Mark Lawrence have tentatively confirmed to meet with Council on March 27th at 6:00pm. Councilors should provide specific issues or topics to be discussed beforehand.

FEMA Flood Maps – FEMA has declined the request of York County towns to hold a public session on the revised Flood Maps prior to finalization. The Town is in opposition of this decision and have raised the issue with Senator King's and Senator Collins' offices.

Update on Dineen – Mr. Dineen is scheduled for a hearing on April 5th and the judge is seeking an update on his progress towards achieving compliance. Mary's Store case is still awaiting a hearing date with Maine Supreme Court.

Sewer Line Break – MMA determined the Town is at fault for the sewer main break on State Road and they are working with Mr. Spencer to determine what expenses can be covered under insurance. Mr. Spencer hopes to reopen at the end of March.

Town Manager Amaral reviewed an item not included in her written report.

Battle of the Badges – Kittery Police and Fire Departments are participating in the Battle of the Badges on Thursday, March 16, 2017 at 6:30p.m. at Traip Academy to benefit cystic fibrosis research and raise funds to support Trevor Salema.

Town Manager Amaral responded to Councilor Spiller that a message can be generated in the online vehicle registration instructing residents to renew the Resource Recovery sticker at Town Hall. She clarified that the stickers will be renewed at the time the vehicle is registered and expires after one year.

7. Acceptance of Previous Minutes

The minutes of February 13, 2017 Regular Meeting postponed and conducted on February 22, 2017 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. – None.

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

(020217-5) The Kittery Town Council moves to revise the current charge for the Economic Development Committee.

The motion to revise the current charge for the Economic Development Committee was made by Chairperson Beers, seconded by Councilor Spiller, at the February 27, 2017 regular meeting.

Town Manager Amaral noted that revisions to the charge intend to provide clarity and remove the responsibility of vetting projects. She noted that the Chairperson and Vice Chairperson of the Planning Board had an opportunity to review the charge.

A MOTION WAS MADE BY COUNCILOR DENNETT TO AMEND THE PROPOSED CHARGE AT LINE 24 TO REPLACE 'SHALL BE' WITH 'IS' AND AT LINE 32 ADD A HYPHEN BETWEEN 'DEVELOPMENT' AND 'RELATED', SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

Chairperson Beers noted that the Council appointments to the Economic Development Committee will be addressed at the next regular meeting.

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

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(030117-1) The Kittery Town Council moves to receive a donation from the Kittery

Maine Improvement Foundation in the amount of \$552 for historic marker signs, to be deposited in account #1111-43530 Miscellaneous Revenue.

A MOTION WAS MADE BY COUNCILOR THOMSON TO RECEIVE A DONATION FROM THE KITTERY MAINE IMPROVEMENT FOUNDATION IN THE AMOUNT OF \$552 FOR HISTORIC MARKER SIGNS, TO BE DEPOSITED IN ACCOUNT #1111-43530 MISCELLANEOUS REVENUE, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.

b. (030117-2) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$740,956.07.

Town accounts payable of \$27,295.00.

Town accounts payable of \$13,441.82

Sewer account payable of \$198,782.51.

School accounts payable of \$311,980.10.

Total of all disbursement warrants of \$1,292,455.50.

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

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.

c. (030117-3) The Kittery Town Council moves to appoint Jeffrey Clifford to the Economic Development Committee until 12/31/20.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPOINT JEFFREY CLIFFORD TO THE ECONOMIC DEVELOPMENT COMMITTEE UNTIL 12/31/20, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

d. (030117-4) The Kittery Town Council moves to appoint Alan Rindler to the Board of Assessment Review as an alternate member until 12/31/20.

A MOTION WAS MADE BY COUNCILOR PELLETIER TO APPOINT ALAN RINDLER TO THE BOARD OF ASSESSMENT REVIEW AS AN ALTERNATE MEMBER UNTIL 12/31/20, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

e. (030117-5) The Kittery Town Council moves to accept the FY'16 Town Audit as presented.

A MOTION WAS MADE BY COUNCILOR PELLETIER TO ACCEPT THE FY'16 TOWN AUDIT, SECONDED BY VICE CHAIRPERSON DENAULT.

Councilor Dennett abstained because he lacked understanding of the document in its entirety.

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

f. (030117-6) The Kittery Town Council moves to approve a renewal application from Badger's Island Pizza, LLC, 30 Remicks Lane, Kittery, Maine for a Malt and Spirituous Liquor License for Badger's Island Pizza, 3 Island Ave.

A MOTION WAS MADE BY COUNCILOR SPILLER TO APPROVE A RENEWAL APPLICATION FROM BADGER'S ISLAND PIZZA, LLC, 30 REMICKS LANE, KITTERY, MAINE FOR A MALT AND SPIRITUOUS LIQUOR LICENSE FOR BADGER'S ISLAND PIZZA, 3 ISLAND AVE, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

g. (030117-7) The Kittery Town Council moves to approve a renewal application from The Dance Hall, 7 Walker Street, Kittery, Maine for a Malt and Vinous Liquor License for The Dance Hall, 7 Walker Street.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL APPLICATION FROM THE DANCE HALL, 7 WALKER STREET, KITTERY, MAINE FOR A MALT AND VINOUS LIQUOR LICENSE FOR THE DANCE HALL, 7 WALKER STREET, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Spiller noted that several comments were made at the recent Foreside Land Use, Parking and Traffic Circulation Study Kick-off meeting on February 8th regarding vehicles parked all day in the Foreside. Town Manager Amaral responded that PNS command staff has offered to take action against employees and vendors that have received parking citations.

Councilor Spiller noted that the citizen Library Committee will soon provide Council an update on their progress.

Councilor Spiller questioned the status of Councilor Pelletier's request from the previous regular meeting for Council to take action to refer Vice Chairperson Denault's report of complaints from constituents to the Town Manager. Chairperson Beers clarified that Attorney Dale's opinion is that it would be inappropriate for Council to refer the matter to the Town Manager per the Charter and State statute. The matter continues to be handled towards resolution. He apologized for failing to communicate the Attorney's opinion to the Council through the Town Manager.

Vice Chairperson Denault noted the Labor of Love group and Jeffrey Brake are interested in providing support for a house on Bartlett Road to remedy structural issues and Code violations.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chairperson Beers regretted missing the workshop with the Economic Development Committee. He noted that quarterly workshops with the Planning Board and Port Authority have been conducted and will continue to be addressed in the future.

b. Committee Reports

Councilor Thomson noted that the Lecture Series: Portsmouth Naval Prison: A Brief History

held on March 1st was the most attended lecture to date. A second lecture was scheduled for April 3rd and reservations have already been filled. The KCC looks to schedule a third lecture in the Fall season due to the popular demand.

16. EXECUTIVE SESSION – None.

17. ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR PELLETIER TO ADJOURN THE MEETING AT 7:32 P.M., SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.

Submitted by Marissa Day, Minutes Recorder, on March 20, 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>.