

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, Kenneth Lemont, and Judith Spiller.

5. Agenda Amendment and Adoption

Agenda was adopted as presented.

6. Town Manager's Report

Town Manager Amaral reviewed her written report.

Mary's Store Property – Chief O'Brien provided a brief update regarding the property. The store will be torn down. The Town has entered into an agreement with John Turner Associates, Dover, NH for the consultation on hazardous material work. It is expected to be completed in a short time frame. They are waiting for a court date to sign a receivership for the buses to be removed and tow them offsite. A hearing has not yet been scheduled for Mr. Dineen's contempt of court order.

Councilor Thomson asked if the two vehicles in front of the store will be moved to the other property. Chief O'Brien explained that the buses will be brought forward at the contempt hearing and will likely be part of finishing the entire project. He added that the foundation on the property will be removed and backfilled with clean gravel.

York Water District Tower License – The Town has decided to terminate the license agreement. The determination was made that the \$6,000 expense was unnecessary for the next few years.

Directional Signage on Bypass for Route 95 – MDOT has agreed to look at adding signage to direct traffic to Route 95 while bridge construction continues.

Whipple Road Speed Limit – MDOT has installed new speed limit signs along Whipple Road indicating the 25 mph speed limit and thanked Councilor Lemont for his efforts in that regard.

Armour Drive – The Code Enforcement Officer identified Code violations relative to debris and trash on the site. He is working with the owner and owner's lawyer to meet compliance

standards.

Walker/Wentworth Transportation Plan – The conceptual plan includes removal of shade trees that are impeding sidewalks and future sidewalks and will be replanted or replaced elsewhere. The old cork tree at the intersection of Walker and Wentworth will remain in place.

Staff Recognitions – The staff recognitions were announced as follows:

Employee of the Quarter:

- Shelly Bishop, Code Enforcement
- Cindy Denault, Kittery Community Center
- Patrick White, Department of Public Works

Employee 5 Years of Service Award:

- Chris Di Matteo, Planning Department

Employee 30 Years of Service Award:

- Linda Driscoll, Police Department

Town Manager Amaral mentioned Ryan Doucette was recognized by the Fire Department for 10 years of service.

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

Upcoming Dates – The following upcoming events were announced:

- Planning for Future Local Impacts of Marijuana, May 17, 2017 6:00 PM, R.W. Traip Academy
- Library Building Options Workshop, May 13, 2017 10:00 M, Kittery Community Center
- Kittery Community Center 5th Anniversary Celebration, May 20, 2017 10:00 AM, Kittery Community Center
- Open House Farewell for Superintendent Hutton, May 25, 2017 5:00-6:00 PM, Kittery Community Center

Vice Chairperson Denault asked if the shed on Armour Drive was properly permitted. Town Manager Amaral answered that it was not confirmed whether it was permitted; however, it appeared to be grandfathered and the owner is paying taxes on the structure.

Town Manager Amaral noted the Planning for Future Local Impacts of Marijuana and Library Building Options Workshop will be broadcasted on Channel 22.

7. Acceptance of Previous Minutes

The regular meeting minutes of April 28, 2017 were adopted, as amended.

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

a. (050117-1) The Kittery Town Council moves to hold a public hearing on the application of York Harbor Brewing Company, 439 US Route 1, Suite #1, Kittery, Maine for a

Special Activity Amusement Permit for Maine Beer Café, 439 US Route 1, Suite #1.

Chairperson Beers opened the floor for public comment. Hearing none; Chairperson Beers closed the public hearing.

COUNCILOR THOMSON MOVED TO ACCEPT THE APPLICATION, AS PRESENTED, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A ROLL CALL VOTE 6/0/1 WITH COUNCILOR LEMONT ABSTAINED.

b. (050117-2) The Kittery Town Council moves to hold a public hearing to approve and hereby ordains an ordinance entitled “Ordinance Approving Additional Local Funds for School Budget for Fiscal Year 2017-2018.

Chairperson Beers opened the floor for public comment. Hearing none; Chairperson Beers closed the public hearing.

COUNCILOR THOMSON MOVED TO APPROVE AND HEREBY ORDAINS AN ORDINANCE, AS PRESENTED, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

c. (050117-3) The Kittery Council moves to hold a public hearing to approve and hereby ordains an ordinance entitled “Ordinance Approving School Budget for Fiscal Year 2017-2018.

COUNCILOR THOMSON MOVED TO APPROVE AND HEREBY ORDAINS AN ORDINANCE, AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

d. (050117-4) The Kittery Town Council moves to hold a public hearing to approve and hereby ordains an ordinance entitled “Ordinance Approving Transfer of School Year-End Balances to Dedicated Accounts.

COUNCILOR THOMSON MOVED TO APPROVE AND HEREBY ORDAINS AN ORDINANCE, AS PRESENTED, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 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

(050117-5) The Kittery Town Council moves to accept donations in a total amount of \$610.00 from Donald and Nicole Kerr for the Thresher Memorial Project to be deposited in

account #5007-43600.

COUNCILOR SPILLER MOVED TO ACCEPT WITH THANKS THE DONATIONS, AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

b. (050117-6) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$710,628.33.

Town accounts payable of \$75.00.

Sewer account payable of \$27,185.62.

School accounts payable of \$354,897.38.

Total of all disbursement warrants of \$1,092,768.33.

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

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

c. (040217-7) The Kittery Town Council moves to sign the warrant for the June 13, 2017 School Budget Validation Referendum Election.

COUNCILOR PELLETIER MOVED TO SIGN THE WARRANT, AS PRESENTED, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

d. (050117-8) The Kittery Town Council moves to authorize the Kittery Little League to conduct a tag day at the Resource Recovery Facility on Saturday, May 20, 2017 from 9am to 2pm.

COUNCILOR THOMSON MOVED TO AUTHORIZE THE REQUEST, AS PRESENTED, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

e. (050117-9) The Kittery Town Council moves to authorize a one day extension of the service area of the premises externally on the current liquor license for The Black Birch, 2 Government Street, on May 21, 2017 from 2:00 pm - 10:00 pm, for a fundraiser to help restaurant employees who suffered loss of temporary employment due to the Portsmouth fire.

COUNCILOR SPILLER MOVED TO AUTHORIZE THE REQUEST, AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

f. (050117-10) The Kittery Town Council moves to approve a renewal application from Chios Pizza, Inc., 49 Griffin Road, Portsmouth, NH for a Malt Liquor License for the Town Pizza Restaurant, 15 Wentworth Street.

COUNCILOR THOMSON MOVED TO APPROVE THE APPLICATION, AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. THE MOTION PASSED

BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Thomson expressed concerns regarding temporary signage along streets without permission. He expressed concern regarding a lack of crosswalk at a location near Badger's Island on State Road. He spoke about the negative comments that have been made on social media regarding recent community events.

Councilor Spiller echoed the concern raised by Councilor Thomson in regards to the lack of crosswalk and encouraged traffic control in that area. In response to the public comments made at the April 28, 2017 regular meeting, she explained how citizens can register to be notified of pesticide use. She thanked the School Department and Japanese dignitaries for the event held at Shapleigh School for the J-1 VISA program. She noted there was previous discussion regarding regulations around short-term rentals and suggested that it be revisited. She read a statement about her concerns raised from communications with another councilor, which questioned her role with the Kittery Maine Improvement Foundation. She provided a detailed background about the nonprofit organization and her affiliation with it.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

A Town Council special meeting will be held on May 15, 2017 at 6:00 PM to present the FY'17 Municipal Budget and schedule public hearing.

b. Committee Reports

16. EXECUTIVE SESSION – None.

17. ADJOURNMENT

**COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT 7:43 P.M.,
SECONDED BY COUNCILOR LEMONT. THE MOTION PASSED BY A UNANIMOUS
VOICE VOTE 7/0/0.**

Submitted by Marissa Day, Minutes Recorder, on May 16, 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>.