

1. Call to Order / Attendance

Acting Chair Patten called the meeting to order at 6:00 P.M.

Members present: Bryan Bush, Alan Johnston, Scott Mason, John McCollett, Niles Pinkham, and Acting Chair Patten.

Members absent: Steve Lawrence

2. Pledge of Allegiance

Acting Chair Patten announced the resignation of Chair Philbrook. He welcomed and introduced new member, Scott Mason.

3. Agenda Amendments and Adoption

Acting Chair Patten approved the agenda as written.

4. Acceptance of Previous Minutes: August 4, 2022

Line 98: change the adjourned time.

The minutes of August 4, 2022 were approved as amended.

5. Harbormaster Report and Budget Report

The Harbormaster gave a short report of the revenue.

The Harbormaster announced the float out is October 25, 2022 and reminded the public that all dinghies must be off the docks by 9 PM on October 24, 2022. He noted the rest of his report will be available online.

FY 2023 YTD EXPENSES					
OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR EXPENSES	CURRENT YEAR REMAINING	PERCENT USED
64010	HARBOR MASTER FULL TIME SALARI	\$ 65,162.00	\$ 16,342.21	\$ 48,819.79	25.08
64020	PART TIME SALARIES	\$ 26,967.00	\$ 16,086.62	\$ 10,880.38	59.65
65010	POSTAGE	\$ 250.00	\$ 29.80	\$ 220.20	11.92
65020	TELEPHONE & INTERNET	\$ 2,000.00	\$ 335.55	\$ 1,664.45	16.78
65200	ELECTRICITY	\$ 2,016.00	\$ 196.43	\$ 1,819.57	9.74
65220	WATER	\$ 515.00	\$ 80.45	\$ 434.55	15.62
65240	DUMPSTERS/TRASH REMOVAL	\$ 1,000.00	\$ 637.44	\$ 362.56	63.74
65305	BOAT EQUIPMENT MAINTENANCE	\$ 3,500.00	\$ 3,191.47	\$ 308.53	91.18
65310	VEHICLE MAINTENANCE	\$ 1,000.00	\$ -	\$ 1,000.00	0.00
65311	GAS, GREASE, & OIL	\$ 2,250.00	\$ 1,210.53	\$ 1,039.47	53.80
65462	RIGGING	\$ 12,000.00	\$ 2,698.24	\$ 9,301.76	22.49
65463	SANITATION	\$ 2,000.00	\$ 1,131.22	\$ 868.78	56.56
65470	PROFESSIONAL DEVELOPMENT	\$ 1,500.00	\$ -	\$ 1,500.00	0.00
65480	OTHER PROFESSIONAL/CONTRACTED	\$ 3,000.00	\$ 1,522.73	\$ 1,477.27	50.76
65500	MAIN BLDG/GROUNDS WHARVES/HAR	\$ 5,500.00	\$ 1,767.62	\$ 3,732.38	32.14
65521	UNIFORMS	\$ 1,300.00	\$ 626.95	\$ 673.05	48.23
66010	OFFICE SUPPLIES	\$ 300.00	\$ -	\$ 300.00	0.00
66040	JANITORIAL SUPPLIES & SERVICES	\$ 500.00	\$ 200.86	\$ 299.14	40.17
TOTAL		\$ 130,760.00	\$ 46,058.12	\$ 84,701.88	35.22%

FY 2023 YTD REVENUE					
OBJECT	ACCT DESCRIPTION	CURRENT YEAR BUDGET	CURRENT YEAR REVENUE	CURRENT YEAR DIFFERENCE	PERCENT
43147	DINGHY FEES	\$ (11,000.00)	\$ (150.00)	\$ (10,850.00)	1.36
43148	TRANSIENT SLIP RENTAL	\$ (8,000.00)	\$ (12,542.17)	\$ 4,542.17	156.78
43149	KPA APPLICATION FEES	\$ (500.00)	\$ (125.00)	\$ (375.00)	25.00
43150	MOORING FEES	\$ (100,000.00)	\$ (2.00)	\$ (99,998.00)	0.00
43151	LAUNCH FEE	\$ (14,000.00)	\$ (8,613.01)	\$ (5,386.99)	61.52
43152	TRANSIENT MOORING	\$ (8,000.00)	\$ (7,639.00)	\$ (361.00)	95.49
43153	WAIT LIST FEE	\$ (1,000.00)	\$ (280.00)	\$ (720.00)	28.00
43156	PIER USAGE FEE	\$ (2,400.00)	\$ (1,708.00)	\$ (692.00)	71.17
43157	MOORING LATE FEE	\$ (1,000.00)	\$ -	\$ (1,000.00)	0.00
43159	KAYAK RACK RENTAL	\$ (2,700.00)	\$ (112.00)	\$ (2,588.00)	4.15
TOTAL		\$ (148,600.00)	\$ (31,171.18)	\$ (117,428.82)	20.98%

6. All Items involving Town Officials or Invited Guests

a. Welcome town attorney, Mr. Cameron Ferrante

7. Public Hearing

a. The Kittery Port Authority moves to hold a public hearing and approve an application from SHM Kittery Point, 48 Bowen Road, Kittery, ME 03904 (Map 17, Lot 10) for the conversion of 28 single point moorings in the Back Channel into twelve (12) 8' x 80' floats and one (1) 8' x 160' float. Agent is Sandra Guay Archipelago Law, LLP.

Mr. Bush recused himself from this item.

Acting Chair Patten confirmed that Mr. Mason was prepared to participate in the item, and asked Mr. Mason to disclose his relationship with the applicant.

Acting Chair Patten moved that Mr. Mason is allowed to participate and vote on the application. Seconded by Mr. Johnston. The motion passed 4-0-1, with Mr. Mason abstaining.

Sandra Guay presented the application to the Board. The requested waiver was discussed. Reasons for the structures reviewed. Additional materials in the application discussed. Proposed conditions of approval reviewed.

Plans were reviewed with the Board.

Acting Chair Patten opened the public hearing.

Public comments were heard from: Jeff Gordon, 5 Bowen Road; Susan Tennant, 19 Old Ferry Lane; Rebecca Hall, 140 State Road; John Sanidas, 20 Old Ferry Lane; Debbie Driscoll, 1 Bowen Road; Joanne Paul, 140 State Road; Gwyneth Hannaford, 15 Old Ferry Lane; and Doug Cole, 41 Bowen Road.

Acting Chair Patten read written comments from: Nicholas Clainos, 8 Bowen Road.

Acting Chair Patten closed the public hearing.

Acting Chair Patten moved to take a recess. Seconded by Mr. Pinkham. The motion passed 5-0-0.

The Board took a recess at 7:24 PM, and reconvened at 7:32 PM.

Acting Chair Patten read the findings of fact into record. The Board voted on each finding.

Acting Chair Patten moved to recess at 8:05 PM. The Board reconvened at 8:35 PM.

Acting Chair Patten moved to reconsider the motion to approve the waiver. Seconded by Mr. Pinkham. The motion failed 2-3-0. Mr. Johnston, Mr. Mason, and Acting Chair Patten voted in the negative.

Acting Chair Patten moved to approve the application. Seconded by Mr. Pinkham. The motion was denied by roll call vote 0-5-0.

Acting Chair Patten moved to continue the approval of the findings of fact until the next meeting. Seconded by Mr. Mason. The motion failed 3-2-0. Mr. McCollett and Mr. Pinkham voted in the negative.

Acting Chair Patten moved to reconsider the motion to continue the approval of the findings of fact until the next meeting. The motion passed 4-1-0. Mr. McCollett voted in the negative.

8. Piers, Wharves & Floats - None

9. Public Segment (Three Mins.) – None

10. Unfinished Business - None

11. New Business –

a. Election of Acting Vice Chair

Acting Chair Patten moved to postpone the election of Acting Vice Chair. The motion passed 5-0-0.

12. Committee and Other Reports - None

a. Communications from the Chairperson

Acting Chair Patten reported he approved three in-kind approvals.

13. Board Member Issues or Comments

Acting Chair Patten – Acting Chair Patten thanked Mr. Brosnihan for all his work for the Board. He commented that he hoped a Board member would fill the secretary position.

Mr. Johnston – None

Mr. Pinkham – Mr. Pinkham commented on the different procedure of the meeting.

Mr. McCollett – Mr. McCollett commented on the waiver vote.

Mr. Mason – None

14. Executive Session - None

15. Adjournment

Mr. McCollett moved to adjourn at 9:05 P.M. The motion passed 5-0-0.

Submitted by Carrie Varao, Development Staff Clerk on April 13, 2023.

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 at <http://www.townhallstreams.com/locations/kittery-maine>.