



# TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904  
Telephone: (207) 475-1329 Fax: (207) 439-6806

## KITTERY TOWN COUNCIL

August 10, 2020

6:00PM

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The public may submit public comments for the DISCUSSION agenda item via email, US Mail, or by dropping written comments in the Drop Box outside the Town Hall entrance. Emailed comments should be sent to [TownComments@kitteryme.org](mailto:TownComments@kitteryme.org).

The public may also participate in the meeting via Zoom webinar. **Register in advance for the webinar at:** [https://us02web.zoom.us/webinar/register/WN\\_FnuINiHaR92okwBmVLbZDQ](https://us02web.zoom.us/webinar/register/WN_FnuINiHaR92okwBmVLbZDQ)

After registering, you will receive a confirmation email containing information about joining the webinar. Webinar participants will be able to submit questions and comments during a public hearing.

**Comments received by noon on the day of the meeting will be read into the record by the Council Chair.**

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1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes
  - January 13, 2020
  - January 27, 2020
  - February 10, 2020
  - February 24, 2020

**Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.**

8. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.
9. PUBLIC HEARINGS
  - a. (080120-1) The Kittery Town Council moves to hold a public hearing to approve Budget Transfers for FY'20.
10. DISCUSSION
  - a. The public may submit public comments in writing via the Q&A feature of the webinar for the DISCUSSION agenda
  - b. Chairperson will read written comments into the record.
  - c. Chairperson's response to public comments.
11. UNFINISHED BUSINESS
12. NEW BUSINESS
  - a. Donations/gifts received for Council disposition.  
  
(080120-2) The Kittery Town Council moves to accept a donation from Northeast Credit Union in the amount of \$2,000 to be deposited into the Thresher Memorial Donation Account.
  - b. (080120-3) The Kittery Town Council moves to discuss 42 and 44 Old Post Road properties.
  - c. (080120-4) The Kittery Town Council moves to discuss 3 Walker Street.
  - d. (080120-5) The Kittery Town Council moves to extend the waiver of enforcement of certain provisions of Title 5.7 Sidewalk Sales to October 31, 2020.
13. COUNCILOR ISSUES OR COMMENTS
14. EXECUTIVE SESSION
15. ADJOURNMENT

Posted: August 6, 2020

**Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167. The meeting will be broadcast on Channel 22, Facebook, and live broadcast from the Town's website.**



# TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

kamaral@kitteryme.org

## Town Manager's Report to the Town Council August 10, 2020

- 1. School Resource Officer Memorandum of Agreement** - Enclosed please find a statement from the Police Chief regarding the School Committee decision to end the SRO program. We stand ready to assist the School Department in whatever manner they need to ensure the safety of all students.
- 2. Access between Boat Storage and Marine Supply** – Councilor Denault asked we look into obstructions along the passage between the Boat Storage and Marine Supply on the Bypass. We investigated this matter in October 2019, in association with a resident complaint. The Fire Chief and Code Enforcement Officer were involved in the review and response to the resident.

The two properties are shown in our records as having the same owner. There is a deeded access easement granted to 56 US Route 1 Bypass by 50 US Route 1 Bypass. The access easement is privately held and establishes access for 56 US Route 1 Bypass only. It is not a publicly held access easement or right of way though the owners used to allow public access in the past.

The Fire Chief and Code Enforcement Officer reviewed the matter for possible public safety needs and determined it was not a public safety issue.

As a result of these factors, we determined the Town does not have jurisdiction over the privately held access easement and cannot enforce the easement nor grant public access through the private properties.

- 3. Parking Enforcement** – The KPD has been following up on multiple parking violations occurring around our beaches and other popular outdoor areas this summer. In the past five weeks, KPD has issued 195 parking citations at Seapoint Beach alone. A total of 335 parking citations have been issued throughout Town between July 1 and August 6.

The Officers are dealing with the usual seasonal parking challenges at Seapoint, in addition to enforcing the parking restrictions resulting from the emergency declaration at Fort Foster, and staying on top of the Foreside parking restrictions. Additionally, they are trying to address calls and complaints about parking in areas around Fort McClary, Rogers Park, and around KLT open space. The Officers do their best to get to each spot on a regular basis, but we are not staffed sufficiently to post an officer at each location for the full day.

- 4. Marijuana Business Adjacent to Aroma Joe's** – Councilor Denault requested information about the new business opening adjacent to Aroma Joe's. The building was recently purchased by the company opening a business in this space. Though the business owner operates a marijuana business in Maine, the store being opened in Kittery will not sell recreational or medical marijuana.

The business use change was approved for non-marijuana retail products, as noted on the business use change. I spoke with the attorney representing the business early in July and confirmed the intent, and

reiterated that the Town of Kittery does not permit recreational marijuana operations or medical caregiver storefronts.

5. **Keep Maine Healthy Grant PSA** – In collaboration with the York Region Chamber of Commerce and the Town of York, a new public service announcement will be airing to show that our businesses are open for safe business operations. The PSA features local shops and restaurants practicing safe social distancing and wearing face masks as they serve customers and diners. The PSA will run on our website, SeacoastOnline, Channel 22 and social media. The PSA is paid for through the Keep Maine Healthy grant and is intended to support businesses and promote the State's safety guidelines.
6. **Recycling Scholarship Fund Status- Attached** is a summary of the Recycling Scholarship fund revenue since 2011. The first year of data available in our accounting system is FY11, which indicates a transfer of \$30,614 into the fund, presumably from another account. Thereafter the revenues have varied, with the highest years being 2013-2015. In 2016, the Town shifted aluminum to being recycled to offset the sharp market drop in value for other recyclable materials. Revenue received from recyclable sales offsets the cost of waste disposal.

Disbursements have also varied, with six of the last 10 years seeing disbursements in excess of revenues; likely in an effort to spend down the accumulated balance. The average annual revenue is \$10,556; which the average annual disbursements for scholarships is \$13,020.

7. **Deb Bailey Retirement - Please** help me in congratulating Deb Bailey on her upcoming retirement. Ms. Bailey has served as the Administrative Assistant for the Department of Public Works for 17 years. She has deftly supported the daily operations of the department, and brought considerable talent to the role. Ms. Bailey is retiring on August 31<sup>st</sup>.

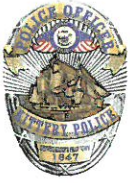
**Upcoming Dates:**

- Nomination Papers Due - August 13, Town Clerk's Office

Respectfully Submitted,



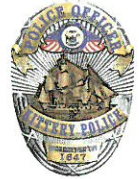
Kendra Amaral  
Town Manager



Robert Richter  
Chief of Police

# KITTERY POLICE DEPARTMENT

200 Rogers Road, Kittery, ME 03904  
Telephone: (207) 439-1638 Fax: (207) 439-6140



John Desjardins  
Lieutenant

5 August 2020

The Kittery Police Department is disappointed with the recent decision by the Kittery School Committee to not renew the Memorandum of Agreement between the Kittery School Department and the Kittery Police Department. This M.O.A. allowed for the full time position of a School Resource Officer embedded in the Kittery School Department. We feel the S.R.O. has been a valuable asset to the students, parents, teachers and administrators we serve. The Kittery Police Department is proud of the relationships and partnerships that we have fostered with the school community, most remarkably through the efforts of Officer Jay Durgin. I cannot say enough about the professional police officer, compassionate mentor and caring person that Officer Jay Durgin is. There is no other person better suited to fill such an important, impactful position.

The K.P.D. has been listening to the discussions and concerns surrounding the S.R.O. position all along. It is unfortunate that we have been excluded from the conversation about how best to create a learning environment where all students feel safe. Despite the recent School Committee decision, Officer Durgin, as well as every member of the Kittery Police Department, remain committed to be an available resource to any school administrator, teacher, parent or student who should need our assistance. We are extremely grateful for the support we have received from the School Department.

The men and women of the Kittery Police Department are committed to providing the highest level of service to all members of our community. We are constantly seeking new and innovative ways to deliver the services that our community expects, demands and deserves from its police department.

A handwritten signature in blue ink, appearing to read "R. Richter".

Robert Richter  
Chief of Police

KNOW ALL MEN BY THESE PRESENTS, that PPL, Ltd., a New Hampshire corporation, of 82 Court Street, Portsmouth, Rockingham County, New Hampshire

for consideration paid, grants to DC/CD Properties, Ltd., a New Hampshire corporation, of 82 Court Street, Portsmouth, Rockingham County, New Hampshire

with Warranty Covenants

The land and buildings in Kittery, York County, State of Maine, more particularly described in Schedule A attached hereto and made a part hereof.

Executed this 17<sup>th</sup> day of May, 1995.

PPL, Ltd.

Michael S. Chubrich  
Witness

Gregory Whalen  
By: Gregory Whalen  
President



State of New Hampshire  
Rockingham, ss

On this 17<sup>th</sup> day of May, 1995, personally appeared Gregory Whalen who acknowledged himself to be the President of PPL, Ltd., and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation, by himself as President.

In witness whereof, I hereunto set my hand and official seal.

Michael S. Chubrich  
Notary Public/Justice of the Peace

MICHAEL E. CHUBRICH, Justice of the Peace  
My Commission Expires November 13, 1997



MAINE REAL ESTATE TRANSFER TAX PAID

SCHEDULE A

A certain lot or parcel of land situated on the southeasterly side of the Interstate Bridge Authority Highway, also known as U.S. Route #1 Bypass, in the Town of Kittery, County of York and State of Maine, and being more particularly bounded and described as follows, to wit:

Beginning at an iron pipe set in the southeasterly side of the interstate Bridge Authority Highway and at the northwesterly corner of the premises herein-conveyed; thence running N 53° 26' 23" E by and along said highway, three hundred ninety-eight (398) feet to land formerly of W. J. Enterprises, Inc., now of Plimsoll Properties Ltd.; thence turning and running S 33° 49' 48" E by and along land of said Plimsoll Properties Ltd., one hundred forty-nine and sixteen-hundredths (149.16) feet to an iron pipe; thence running S 33° 27' 33" E by and along land now or formerly of Nancy Fiandaca, et ux, one hundred five (105) feet to an iron pipe set in the northwesterly sideline of Old Post Road; thence turning and running S 54° 24' 48" W by and along Old Post Road, two hundred forty (240) feet to an iron pipe and land now or formerly of Daniel Durgin, et ux; thence turning and running N 34° 08' 52" W, eighty-five (85) feet to an iron pipe; thence turning and running S 88° 16' 07" W, one hundred eight and seventy-five hundredths (108.75) feet to an iron pipe; thence N 85° 21' 32" W, twenty-three and nineteen hundredths (23.19) feet to an iron pipe; thence turning and running S 57° 57' 28" W, thirty-six and fifty hundredths (36.50) feet to an iron pipe thence turning and running N 40° 44' 32" W, thirty-nine and seventy-seven hundredths (39.77) feet to an iron pipe; thence running N 40° 09' 26" W, forty-five (45) feet to an iron pipe and the point of beginning. (The foregoing six courses and distances being by and along land of said Durgin).

The above courses and distances are being taken from "Site Plan for Hydra-North, Inc., dba Gilford Boat Sales", Kittery, Maine, dated November 11, 1988 (January 23, 1989 revision) by Seacoast Engineering Associates, Inc.

Subject to a right-of-way of DDV Realty Company (formerly Vallee's Steak House), for itself and others, for passage of persons and vehicles over and across the property between the Interstate and Route 103. For further reference see York County Registry of Deeds, Book 2101, Page 112.

Subject to the right of DDV Realty Company, its successors and assigns, to maintain, repair and replace the sign which is presently maintained on the premises to direct traffic to and from the premises now or formerly owned by DDV Realty Company on the northwesterly side of the Interstate Bridge Authority Highway, and to or from the restaurant located at those premises. For further reference see York County Registry of Deeds, Book 2101, Page 112.

Subject to a covenant running with the land for the use and benefit of DDV Realty Company, its successors and assigns that no alcoholic beverages shall be sold for consumption on the property, provided that the buyer, his heirs, successors or assigns may, without violation of this covenant, operate a restaurant or a snack bar at the premises if such restaurant or snack bar has a seating capacity for no more than forty (40) persons.

BK7418 PG339

Subject to a right-of-way of W. J. Enterprises, Inc., for itself and others, for passage of persons and vehicles over and across the property between the Interstate Highway and Route 103.

The above-referenced various rights-of-ways being more particularly shown and delineated on "Site Plan for Hydra-North, Inc. dba Gilford Boat Sales, Kittery, Maine", dated November 11, 1988 (January 23, 1989 revision) by Seacoast Engineering Associates, Inc. to be recorded. See also Right-of-Way Location Agreement between Kennebunk Savings Bank and AWH-KME Restaurant Corporation, dated January 25, 1989 to be recorded.

Being the same premises conveyed to PPL, Ltd. by Quitclaim Deed of Kennebunk Savings Bank, dated March 23, 1989 and recorded in the York County Registry of Deeds at Book 5011, Page 273.

RECEIVED YORK S.S.

95 MAY 24 AM 10:48

ATTEST: *Louis M. Mace*  
REGISTER OF DEEDS



BOOK 2101 PAGE 112 Know all Men by these Presents,

That DDV REALTY COMPANY (whose name formerly was Valle's Steak House, Kittery, Maine)

a corporation organized and existing under the laws of the State of Maine and located at Portland

in the County of Cumberland and State of Maine

in consideration of One (\$1.00) Dollar and other valuable considerations

paid by W. J. ENTERPRISES, INC., a Maine corporation, having its principal offices in Kittery, Maine

the receipt whereof it does hereby acknowledge, does hereby give,

grant, bargain, sell and convey, unto the said W. J. ENTERPRISES, INC.

its successors ~~heirs~~ and assigns forever,

a certain lot or parcel of land together with the buildings thereon situated in Kittery in the County of York and State of Maine on the Southeasterly side of the Interstate Toll Bridge Highway, so-called, which said lot of land is made up of three parcels of property conveyed to Valle's Steak House, Kittery, Maine, a Maine corporation, and described in the following three deeds:

1. Deed of George D. Varney dated March 14, 1957, recorded in said Registry of Deeds in Book 1342, Page 110.
2. Deed of Harry E. Roberts dated March 21, 1957, recorded in said Registry of Deeds in Book 1342, Page 147.
3. Deed of Carl and Lena C. Durgin to Donald D. Valle, dated August 28, 1954, and recorded in said Registry of Deeds in Book 1262, Page 542. (Subsequently conveyed to Valle's Steak House, Kittery, Maine, by deed dated February 7, 1955, recorded in said Registry of Deeds in Book 1285, Page 68.)

The said premises are bounded and described as follows:

Beginning on the Southeasterly side of the Interstate Bridge Authority Highway at a corner of land now or formerly of one Miller; thence in a Southeasterly direction by Miller's land 167.5 feet, more or less, to an iron pipe; thence in a Southwesterly direction 100 feet by land of one Gunnison to a pipe and continuing on said course by land of one Brisse 85 feet to a corner; thence continuing on said Southwesterly course 90 feet, more or less, by land now or formerly of Harry E. Roberts to an iron hub; thence Southeasterly and by said Roberts land 102 feet, more or less, to an iron hub set in the Westerly sideline of the Old Post Road, so-called; thence Southwesterly by said Old Post Road 240 feet, more or less, to an iron hub and other land now or formerly of said Harry E. Roberts; thence Northwesterly 85 feet, more or less, by said land of Roberts to an iron hub; thence Westerly by said land of Roberts 108 feet 9 inches, more or less, to an iron hub; thence North 86° 27' West by land of said Roberts 23.19 feet to a point; thence South 56° 52' West parallel to and 6 feet Northwesterly from the Northwesterly line of a garage standing on said other land of Harry Roberts 36 1/2 feet to a point; thence North 41° 50' West by said land of Harry E. Roberts 39.77 feet to a point; thence North 41° 03' West by land of one Cole 45 feet to the Southeasterly line of the right of way

of said Interstate Bridge Authority Highway; thence Northeasterly by said Southeasterly line of said right of way of said Interstate Bridge Authority Highway 680 feet, more or less, to the point of beginning.

Real and personal property, taxes and assessments assessed against the premises herein conveyed and their contents shall be pro-rated as of the date of this deed.

I. This conveyance is made subject to easements and rights of way of record, and the terms and conditions thereof.

II. The Grantor excepts and reserves for itself, its successors and assigns, in common with others, the right and easement for the passage of persons and vehicles over and across the premises herein conveyed between the Maine-New Hampshire Interstate Bridge Authority Highway (the Northbound lane thereof) and the Old Post Road (Route 103) as the same are presently used and traveled or as the same may be relocated from time to time by the Grantee, its successors and assigns, to the extent permitted by prior documents of record. The Grantee, its successors and assigns, covenants and agrees to maintain the surface of the premises in good order and repair for such purposes.

III. The Grantor excepts and reserves for itself, its successors and assigns, the right to maintain, repair, and replace the sign which is presently maintained on the premises to direct traffic to and from the premises now owned by the Grantor on the Northwesterly side of the said Interstate Bridge Authority Highway, and to and from the restaurant located at those premises.

IV. It is a term and condition of this deed which shall be a covenant running with the land for the use and benefit of the Grantor, its successors and assigns, that:

A. No alcoholic beverages shall be sold for consumption on the premises at the premises herein conveyed.

B. No food shall be sold for consumption on the premises at the premises herein conveyed; provided, however, that the Grantee, its successors and assigns, may without violation of this sub-paragraph B, operate a restaurant or a snack bar at the premises if such restaurant or snack bar has a seating capacity for no more than forty persons.

This covenant shall terminate and be of no further force or effect if for a period of thirty-six (36) consecutive months no restaurant is operated on the premises now owned by the Grantor on the Northwesterly side of the said Interstate Bridge Authority Highway.

V. The rights reserved in Paragraph III hereinabove shall terminate and be of no further force and effect if for a period of thirty-six (36) consecutive months no restaurant is operated on the premises now owned by the Grantor on the Northwesterly side of the said Interstate Bridge Authority Highway; provided, however, that the provisions of this Paragraph V shall not limit or effect sign rights previously granted to any other party or parties by the Grantor.

Poor copy at time of recording

BOOK 2101 PAGE 113

To have and to hold, the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said W. J. ENTERPRISES, INC.

its <sup>successors</sup> / heirs and assigns, to its and their use and behoof forever.

And the said Grantor Corporation does hereby COVENANT with the said Grantee, its <sup>successors</sup> / heirs and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances; except as aforesaid.

that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors, shall and will WARRANT AND DEFEND the same to the said Grantee, its <sup>successors</sup> / heirs and assigns forever, against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, the said DDV REALTY COMPANY

has caused this instrument to be sealed with its corporate seal and signed in its corporate name by JOSEPH F. McDONALD, its ASSISTANT TREASURER thereunto duly authorized, this 21st day of October in the year one thousand nine hundred and seventy-five.

Signed, Sealed and Delivered in presence of

*[Signature]*

DDV REALTY COMPANY

By *[Signature]*  
Its ASSISTANT TREASURER



State of Maine

County of York ss. October 21 1975

Then personally appeared the above named JOSEPH F. McDONALD, ASSISTANT TREASURER of said Grantor Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,

*[Signature]*

Justice of the Peace.  
Notary Public.

York, ss.  
Received OCT 21 1975 at 2:55 P.M.  
and recorded from the original

RECORDED

W. J. ENTERPRISES, INC. a Maine Corporation with a principal place  
~~of~~ of business in Kittery, York County, State of Maine

~~being conveyed~~ for consideration paid, grant to INDIAN HEAD NATIONAL BANK OF  
 PORTSMOUTH  
 of Portsmouth, Rockingham County, State of New Hampshire  
 with mortgage covenants, to secure the payment of

ONE HUNDRED THOUSAND (\$100,000.00)----- dollars in

Fifteen (15)----- years with  
 Ten and one-half (10 1/2%)  
 per cent interest per annum, payable in monthly

installments, as provided in

note of even date, the land in Kittery, York County, Maine

The said premises are bounded and described as follows:

Beginning on the southeasterly side of the Interstate Bridge Authority Highway at a corner of land now or formerly of one Miller; thence in a southeasterly direction by Miller's land 167.5 feet, more or less, to an iron pipe; thence in a southwesterly direction 100 feet by land of one Gunnison to a pipe and continuing on said course by land of one Brisse 85 feet to a corner; thence continuing on said southwesterly course 90 feet, more or less, by land now or formerly of Harry E. Roberts to an iron hub; thence southeasterly and by said Roberts land 102 feet, more or less, to an iron hub set in the westerly sideline of the Old Post Road so-called; thence southwesterly by said Old Post Road 240 feet, more or less, to an iron hub and other land now or formerly of said Harry E. Roberts; thence northwesterly 85 feet, more or less, by said land of Roberts to an iron hub; thence westerly by said land of Roberts 108 feet 9 inches, more or less, to an iron hub; thence north 86° 27' west by land of said Roberts 23.19 feet to a point; thence south 56° 52' west parallel to and 6 feet northwesterly from the northwesterly line of a garage standing on said other land of Harry Roberts 36 1/2 feet to a point; thence north 41° 50' west by said land of Harry E. Roberts 39.77 feet to a point; thence north 41° 03' west by land of one Cole 45 feet to the southeasterly line of the right of way of said Interstate Bridge Authority Highway; thence

northeasterly by said southeasterly line of said right of way of said Interstate Bridge Authority Highway 680 feet, more or less, to the point of beginning.

See also restrictions of record contained in the deed of DDV Realty Company to W. J. Enterprises, Inc., dated October 21, 1975.

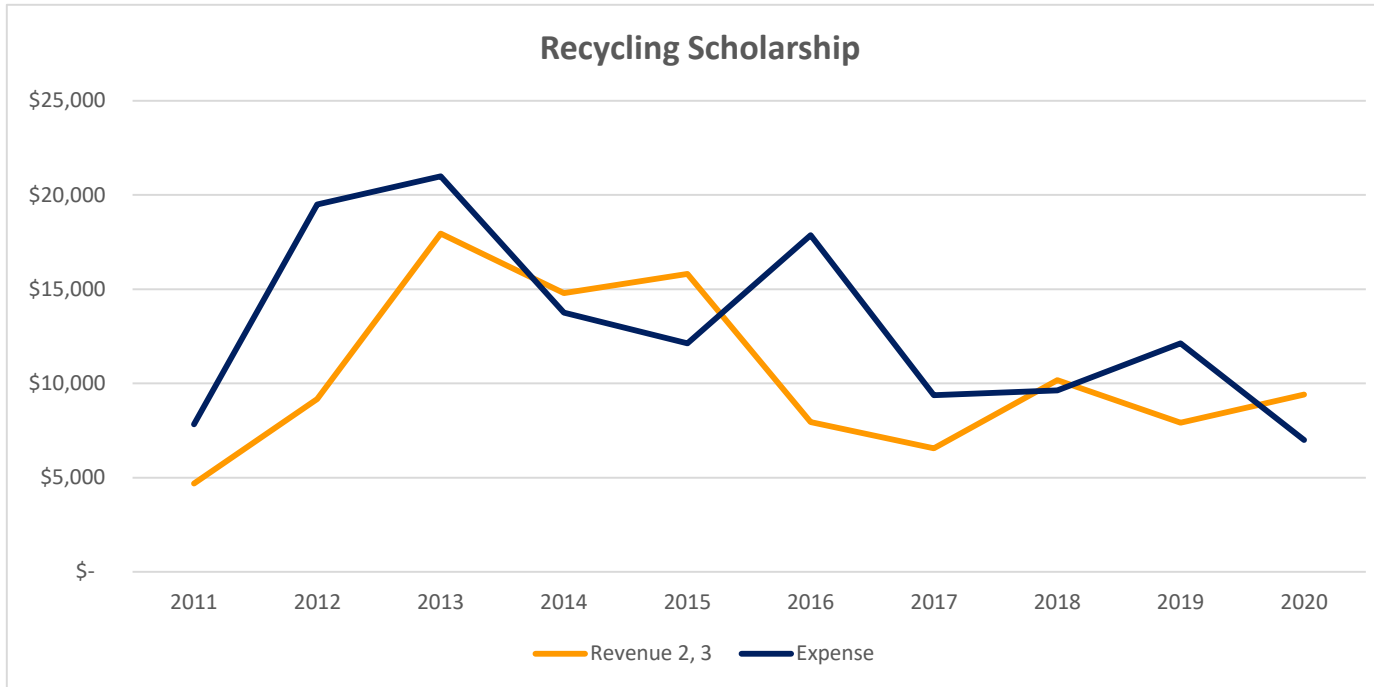
Being the same premises conveyed by DDV Realty Company by Warranty Deed dated October 21, 1975, to be recorded in the York County Registry of Deeds forthwith.

**Kittery Recycling Scholarship  
Fund History**

	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Beginning Balance <sup>1</sup>	\$ 30,614	\$ 27,479	\$ 17,153	\$ 14,101	\$ 15,142	\$ 18,832	\$ 8,902	\$ 6,074	\$ 6,629	\$ 2,418
Revenue <sup>2,3</sup>	\$ 4,686	\$ 9,174	\$ 17,948	\$ 14,791	\$ 15,815	\$ 7,945	\$ 6,547	\$ 10,181	\$ 7,914	\$ 9,409
Expense	\$ 7,821	\$ 19,500	\$ 21,000	\$ 13,750	\$ 12,125	\$ 17,875	\$ 9,375	\$ 9,625	\$ 12,125	\$ 7,000
Ending Balance	\$ 27,479.15	\$ 17,152.91	\$ 14,100.71	\$ 15,141.86	\$ 18,831.90	\$ 8,901.78	\$ 6,073.60	\$ 6,629.46	\$ 2,418.26	\$ 4,827.38

*Notes*

1. Funds were transferred into Recycling Scholarship Fund in FY11
2. In 2016 Kittery shifted aluminum to recyclables to offset waste disposal costs and falling market for other recyclable materials
3. 2020 Revenue includes \$2,000 direct donation.



Kittery Town Council UNAPPROVED MINUTES

January 13, 2020

Regular Meeting

Town Hall – Council Chambers

- 1 1. Call to Order
- 2 2. Introductory
- 3 3. Pledge of Allegiance
- 4 4. Roll Call
- 5 Councilors present: Charles Denault, Jeffrey Pelletier, Jeffery Thomson, Kenneth
- 6 Lemont, Cyrus Clark, Vice Chair Matt Brock, and Chair Judith Spiller.
- 7 5. Agenda Amendment and Adoption
- 8 Add item n. under New Business.
- 9 Chair Spiller cast one vote to the adoption to the agenda.
- 10 6. Town Manager’s Report
- 11 The Town Manager reported on: short term rentals, Joint Land Use Study, next steps
- 12 with the Foreside Study, and a Library Committees update.
- 13 Upcoming Dates: Martin Luther King Day – Town Hall Closed, January 20, absentee
- 14 ballot applications available now – Town Clerk’s office, Kittery Celebrity Chef Breakfast
- 15 – January 21, 8AM, Kittery Community Center, dog license renewal deadline – January
- 16 31, Town Hall, tax payments due February 15 – Town Hall, and mooring permit renewals
- 17 open – through April 15, Harbormaster or online.
- 18 7. Acceptance of Previous Minutes
- 19 April 8, 2019, May 13, 2019 and May 29, 2019 Council minutes approved.
- 20 8. Interviews for the Board of Appeals and Planning Board - None
- 21 9. All items involving the town attorney, town engineers, town employees or other town
- 22 consultants or requested offices.
- 23 a. (010120-1) The Kittery Town Council moves to receive a presentation from Sterling
- 24 Roop, Partnership for Southern Maine for the US Census Bureau.
- 25 Sterling Roop, from Partnership for Southern Maine, gave a presentation for the US
- 26 Census Bureau.

27 b. (010120-2) The Kittery Town Council moves to receive a short presentation from the  
28 Town Clerk regarding the March 3, 2020 Primary Election.

29 The Town Clerk spoke about the March 3, 2020 Primary Election.

30 10. PUBLIC HEARINGS - None

31 11. DISCUSSION

32 a. Discussion by members of the public (three minutes per person)

33 Tim Brochu, 90 Government Street, Kittery – Mr. Brochu expressed concerns about  
34 short term rentals.

35 Lauren Zike, 7 Stimson Street, Kittery – Ms. Zike expressed concerns about short term  
36 rentals.

37 Michael Landgarten, 103 Pepperrell Road, Kittery – Mr. Landgarten spoke about  
38 parking in the Foreside.

39 b. Response to public comment directed to a particular Councilor

40 c. Chairperson’s response to public comments

41 Chair Spiller responded to Tim Brochu and Lauren Zike about their short-term rental  
42 concerns. Chair Spiller also addressed Michael Landgarten’s concerns regarding  
43 parking in the Foreside, and suggested having a workshop.

44 The Town Manager also spoke about some solutions in the works for parking in the  
45 Foreside.

46 Councilor Thomson stated that he had observed parking in the Foreside for maybe a  
47 week and a half; week days verses weekends, with a dramatic difference between the  
48 two times.

49 12. UNFINISHED BUSINESS - None

50 13. NEW BUSINESS

51 a. Donations/gifts received for Council disposition.

52 (010120-3) The Kittery Town Council moves to accept a donation in the amount of  
53 \$250.00 from the Kiwanis Club of the Seacoast to be deposited into account #101320-  
54 65500.

55 Moved by Councilor Thomson, seconded by Councilor Pelletier.

56 Motion Carried 7-0-0

57 b. (010120-4) The Kittery Town Council moves to approve the disbursement warrants.

58 Moved by Councilor Thomson, seconded by Councilor Pelletier.

59 Motion Carried 7-0-0



60 c. (010120-5) The Kittery Town Council moves to approve a renewal Liquor  
61 License application from Weathervane Seafoods, 306 US Route 1 Kittery.  
62 Moved by Councilor Thomson, seconded by Councilor Denault.  
63 Motion Carried 7-0-0

64 d. (010120-6) The Kittery Town Council moves to approve a renewal Liquor  
65 License application from Tasty Thai, 182 State Road, Kittery.  
66 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
67 Motion Carried 7-0-0

68 e. (010120-7) The Kittery Town Council moves to approve a renewal Liquor License  
69 application from AJ's Wood Grill Pizza, 68 Wallingford Square, Kittery.  
70 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
71 Motion Carried 7-0-0

72 f. (010120-8) The Kittery Town Council moves to approve a renewal Liquor License  
73 application from Bistro 1828, 88 Pepperrell Road, Kittery  
74 Moved by Councilor Thomson, seconded by Councilor Denault.  
75 Motion Carried 7-0-0

76 g. (010120-9) The Kittery Town Council moves to schedule a Public Hearing on January  
77 27, 2020 on Title 2 - Various.  
78 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
79 Motion Carried 7-0-0

80 h. (010120-10) The Kittery Town Council moves to approve a request from the  
81 Kittery Outlet's to hold their Sidewalks Sales for the 2020 season.

- 82 • May 22-25 – Memorial Day
- 83 • July 3-6 – Fourth of July
- 84 • August 7-10 – Back to School
- 85 • September 4-7 Labor Day
- 86 • October 9-12 – Columbus Day

87 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
88 Motion Carried 7-0-0

89 i. (010120-11) The Kittery Town Council moves to approve and set the Summer and  
90 December meeting schedules for 2020:

- 91 • July 13
- 92 • August 10
- 93 • December 14

94 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
95 Motion Carried 7-0-0  
96 j. (010120-12) The Kittery Town Council moves to discuss Town Council and Town  
97 Manager's Goals for 2020 and the FY 2021 Budget.  
98 The Town Manager gave an overview of the Town Council and Town Manager's goals  
99 for 2020 and the FY 2021 Budget.  
100 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
101 Motion Carried 7-0-0  
102 Chair Spiller suggested the Town Council goals could be provided to the public.  
103 Councilor Denault suggested putting the goals under the Town Council section on the  
104 Town website.  
105 Councilor Lemont purposed reviving the Marijuana Working Group, seconded by  
106 Councilor Denault.  
107 Motion Carried 7-0-0  
108 Councilor Lemont suggested having one of the Town Councilors on the Marijuana  
109 Working Group.  
110 k. (010120-13) The Kittery Town Council moves to appoint a Council representative to  
111 be a member of the Library Advisory Committee.  
112 Councilor Thomson moved to appoint Chair Spiller, seconded by Councilor Pelletier.  
113 Motion Carried 7-0-0  
114 l. (010120-14) The Kittery Town Council moves to appoint a Council representative to  
115 be a member of the Kittery Celebration Committee.  
116 Councilor Denault moved to appoint Councilor Thomson, seconded by Councilor  
117 Lemont.  
118 Motion Carried 7-0-0  
119 m. (010120-15) The Kittery Town Council moves to approve the recommendation of  
120 Alan Johnston to the Kittery Port Authority for a term of 5 years to expire December 31,  
121 2024.  
122 Moved by Councilor Denault, seconded by Councilor Thomson.  
123 Motion Carried 7-0-0  
124 n. The Kittery Town Council moves to provide a letter of support to the State Legislature  
125 for the updated Water District Charter Revisions that do not impact Municipal Elections.  
126 Moved by Councilor Thomson, seconded by Councilor Denault.  
127 The Town Manager gave an overview.

128 Motion Carried 7-0-0

129 14. COUNCILOR ISSUES OR COMMENTS

130 Councilor Lemont wanted to thank Councilor Thomson for running for the Board of  
131 Trustees for the Kittery Water District.

132 Councilor Clark spoke about a broken water pipe on Rte. 103. Councilor Clark also  
133 spoke in support of Councilor Thomson running for the Board of Trustees for the Kittery  
134 Water District.

135 Councilor Denault stated that on June 19, 2019 he spoke about several properties that  
136 would be in violation of the property maintenance section of the town code. He also  
137 spoke about a parking kiosk. Councilor Denault spoke in support of Councilor Thomson.

138 Councilor Thomson spoke about an article in the Boston Globe on recycling. Councilor  
139 Thomson thanked six decades of Kittery voters for voting for him.

140

141 Chair Spiller spoke about York River designation approval received from the Department  
142 of Interior, that the town report met all the criteria. Chair Spiller asked for the Council's  
143 consensus for continuing the support of designation. All were in favor. Chair Spiller  
144 stated that Wednesday at 6 p.m. at York High School, Ready for One Hundred is doing a  
145 presentation. Chair Spiller suggested the Town Manager explore the idea of electric cars  
146 for the town.

147

148 15. COMMITTEE AND OTHER REPORTS

149 a. Communications from the Chairperson - None

150 b. Committee Reports - None

151 16. EXECUTIVE SESSION

152 Councilor Thomson moved to go into Executive Session at 7:29 p.m., seconded by  
153 Councilor Pelletier.

154 Motion Carried 7-0-0

155 a. (010120-16) The Kittery Town Council moves to go into Executive Session with the  
156 Town Manager in accordance with 1 M.R.S. §405 (6) (A) to discuss or consider  
157 complaints regarding appointees, where public discussion could be reasonably expected  
158 to cause damage to an individual's reputation or right to privacy.

159 Councilor Denault moved to come out of Executive session at 8:03 p.m., seconded by  
160 Councilor Pelletier.

161 Motion Carried 7-0-0

162 17. ADJOURNMENT

163 Councilor Pelletier moved to adjourn, seconded by Councilor Thomson.

Submitted by Kim Tackett

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Workshop - Wood Island – 5:30 PM  
Kittery Town Council UNAPPROVED MINUTES  
January 27, 2020  
Regular Meeting  
Town Hall - Council Chambers – 6:00 PM

- 1 1. Call to Order
- 2 2. Introductory
- 3 3. Pledge of Allegiance
- 4 4. Roll Call
- 5 Councilors present: Charles Denault, Jeffrey Pelletier, Jeffery Thomson, Kenneth Lemont,  
6 Cyrus Clark, Vice Chair Matt Brock, and Chair Judith Spiller.
- 7 5. Agenda Amendment and Adoption
- 8 Adopted Item d. Souper Bowl of Caring.
- 9 Chair Spiller cast one vote for the adoption.
- 10 6. Town Manager’s Report
- 11 The Town Manager reported on: National Endowment for the Humanities grant, recycling and  
12 waste, and financial report.
- 13 Upcoming Dates: Absentee ballot applications available now – Town Clerk’s Office, dog license  
14 renewals deadline – January 31, Town Clerk’s Office, family Valentine’s Day dance – February  
15 8, 6PM, Kittery Community Center, voter registration night – February 26, 6PM, Town Clerk’s  
16 Office, and Presidential Primary & Special Referendum Election – March 3, 8AM – 8PM, Kittery  
17 Community Center.
- 18 Councilor Denault asked about hiring more police.
- 19 Councilor Thomson asked whether there had been any changes to the FY19 recycling and  
20 waste data, and if it could be made part of the budget presentation in May.
- 21 Chair Spiller asked the Town Manager when the Council would have a report from the Joint  
22 Land Use Study group.
- 23 The Town Manager replied that a report would be available for the second meeting in February.
- 24 7. Acceptance of Previous Minutes
- 25 Councilor Lemont moved to postpone approval of minutes, including May 6, 2019, June 10 and  
26 24 2019, and July 8, 2019 until amended with additional details. The motion was seconded by  
27 Councilor Denault.
- 28 Motion Carried 7-0-0
- 29 8. Interviews for the Board of Appeals and Planning Board - None

30 9. All items involving the town attorney, town engineers, town employees or other town  
31 consultants or requested offices.

32 10. PUBLIC HEARINGS

33 a. (010220-1) The Kittery Town Council moves to hold a public on Title 2 – Various.

34 The Town Manager gave an overview on Title 2 – Various.

35 Moved by Councilor Thomson, seconded by Councilor Pelletier.

36 Motion Carried 7-0-0

37 b. (010220-2) The Kittery Town Council moves to hold a public hearing on a New Liquor  
38 License application for Sunrise Grill 182 State Road, Kittery Maine.

39 Moved by Councilor Thomson, seconded by Councilor Pelletier.

40 Motion Carried 7-0-0

41 11. DISCUSSION

42 a. Discussion by members of the public (three minutes per person)

43 Jerry Burns, 114 State Road, Kittery – Mr. Burns requested the Council reconsider recreational  
44 marijuana in the Town of Kittery.

45 b. Response to public comment directed to a particular Councilor

46 c. Chairperson's response to public comments

47 Chair Spiller told Mr. Burns the town has reconstituted the marijuana working group and that the  
48 group should be bringing recommendations forward.

49 12. UNFINISHED BUSINESS

50 (010220-3) The Kittery Town Council moves to approve the Council Minutes from April 22, 2019  
51 as amended.

52 Council postponed to a later date. No action taken.

53 13. NEW BUSINESS

54 a. Donations/gifts received for Council disposition.

55 (010220-4) The Kittery Town Council moves to accept a donation from York Hospital in the  
56 amount of \$10,000.00 to be deposited into the York Hospital Account.

57 Moved by Councilor Thomson, seconded by Councilor Pelletier.

58 Motion Carried 7-0-0

59 b. (010220-5) The Kittery Town Council moves to approve the disbursement warrants.

60 Moved by Councilor Thomson, seconded by Councilor Pelletier.

61 Motion Carried 7-0-0

62 c. (010220-6) The Kittery Town Council moves to approve a renewal Liquor License application  
63 from Hampton Inn and Suites Kittery, 275 Route 1 Kittery.

64 Moved by Councilor Thomson, seconded by Councilor Pelletier.

65 Motion Carried 7-0-0

66 d. (010220-7) The Kittery Town Council moves to approve a toll road at the Resource Recovery  
67 Facility on February 1, 2020 for the Kittery Cub Scout Pack 316.

68 Moved by Councilor Thomson, seconded by Councilor Pelletier.

69 Motion Carried 7-0-0

#### 70 14. COUNCILOR ISSUES OR COMMENTS

71 Vice Chair Brock asked the Town Manager if the end of February was when the  
72 recommendation from the Joint Land Use Study would be out and if those would involve  
73 strategies to deal with the traffic issues in the Foreside.

74 The Town Manager replied yes.

75 Councilor Thomson spoke about a memo from the Parks Commission on parking outside Fort  
76 Foster. He also spoke about John Paul Jones park.

77 Councilor Denault stated that he and Councilor Lemont were distributing flyers for Jeff  
78 Thomson, a candidate for the Kittery Water District. He also spoke about New Hampshire and  
79 Massachusetts plates and the excise tax lost to the town. Councilor Denault stated he had  
80 received complaints about litter and unkept homes on Armour Drive and Martin Road.

81 Councilor Denault also recognized individuals who has passed including: Donald Terrence,  
82 Donald Johnson, Jerry Todd, Lester Cobb, Joan Abbott, Marilyn Hoyt, Robert Watt, and  
83 Constance Lanpher.

84 Chair Spiller commented about a speeding York Hospital transport van driver.

#### 85 15. COMMITTEE AND OTHER REPORTS

86 a. Communications from the Chairperson

87 Chair Spiller spoke about the border dispute with York.

88 b. Committee Reports - None

#### 89 16. EXECUTIVE SESSION

90 Councilor Thomson moved to go into Executive session at 6:52 p.m., seconded by Councilor  
91 Pelletier.

92 Motion Carried 7-0-0

93 The Kittery Town Council moves to go into Executive Session under 1 M.R.S. §405(6)(D) Labor  
94 Negotiations in preparation for contract negotiations with Teamsters Local #340.

95 Councilor Thomson moved to come out of Executive session at 6:56 p.m., seconded by  
96 Councilor Pelletier.

- 97 Motion Carried 7-0-0
- 98 17. ADJOURNMENT
- 99 Moved by Councilor Thomson, seconded by Councilor Pelletier.
- 100 Motion Carried 7-0-0

Submitted by Kim Tackett

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Kittery Town Council  
Regular Meeting  
February 10, 2020  
Town Hall – Council Chambers

1 1. Call to Order

2 2. Introductory

3 3. Pledge of Allegiance

4 4. Roll Call

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

7 5. Agenda Amendment and Adoption

8 Chair Spiller cast one vote

9 6. Town Manager's Report

10 The Town Manager reported on: Emery Field Phase 2, Taylor Building Invitation for  
11 Proposals, and Council Meeting Minutes.

12 Upcoming Dates: Absentee ballots available now, deadline to change party enrollment for  
13 primary election – February 13, 6PM, tax payments due - February 15, Town Hall, voter  
14 registration night – February 26, 6PM to 7PM, Town Hall, Presidential Primary & Special  
15 Referendum Election – March 3, 8AM to 8PM, KCC, mooring permit renewals due – April 15,  
16 Harbormaster or online

17 7. Acceptance of Previous Minutes - None

18 8. Interviews for the Board of Appeals and Planning Board - None

19 9. All items involving the town attorney, town engineers, town employees or other town  
20 consultants or requested offices.

21 a. (020120-1) The Kittery Town Council moves to approve the CIP Presentation from  
22 the Town Manager.

23 The Town Manager gave overview and presented the Capital Improvement Program  
24 2021 – 2025 presentation.

25 Moved by Councilor Thomson, seconded by Councilor Pelletier.

26 Motion Carried 7-0-0

- 27 10. PUBLIC HEARINGS -
- 28 a. (020120-2) The Kittery Town Council moves to hold a public hearing to approve a new
- 29 Liquor License application from Loco Coco's Taco's located at 36 Walker Street, Kittery.
- 30 Moved by Councilor Thomson, seconded by Councilor Pelletier.
- 31 Motion Carried 7-0-0
- 32 b. (020120-3) The Kittery Town Council moves to hold a public hearing to approve a new
- 33 Victualer's License application from Loco Coco's Taco's located at 36 Walker Street, Kittery.
- 34 Moved by Councilor Thomson, seconded by Councilor Pelletier.
- 35 Motion Carried 7-0-0
- 36 c. (020120-4) The Kittery Town Council moves to hold a public hearing to approve a new
- 37 Liquor License application from Kittery Food Truck Pod-Paved Paradise located at 230 US
- 38 Route 1 Bypass, Kittery.
- 39 Barbara Jenny of Kittery Food Truck Pod-Paved Paradise explained the reason she wanted
- 40 a Liquor License.
- 41 d. (020120-5) The Kittery Town Council moves to hold a public hearing to approve a new
- 42 Victualer's License application from Kittery Food Truck Pod-Paved Paradise located at 230
- 43 US Route 1 Bypass, Kittery.
- 44 Moved by Councilor Thomson, seconded by Councilor Pelletier.
- 45 Motion Carried 7-0-0
- 46 11. DISCUSSION
- 47 a. Discussion by members of the public (three minutes per person)
- 48 b. Response to public comment directed to a particular Councilor
- 49 c. Chairperson's response to public comments
- 50 12. UNFINISHED BUSINESS - None
- 51 13. NEW BUSINESS
- 52 a. Donations/gifts received for Council disposition.
- 53 (020120-6) The Kittery Town Council moves to accept a donation from the Kittery Lions
- 54 Club, in the amount of \$1,000.00 to be deposited into account 5023 Library Donations.
- 55 Moved by Councilor Thomson, seconded by Councilor Pelletier.
- 56 Motion Carried 7-0-0

57 b. (020120-7) The Kittery Town Council moves to approve the disbursement warrants.  
58 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
59 Motion Carried 7-0-0

60 c. (020120-8) The Kittery Town Council moves to approve a request from the Kittery  
61 Rotary After Hours Club to place signs around Kittery to advertise their St. Patrick's Day  
62 Dinner on March 15.  
63 Moved by Councilor Thomson, seconded by Councilor Pelletier.  
64 Motion Carried 7-0-0

65 d. (020120-9) The Kittery Town Council moves to approve Susan Goodman's appointment  
66 to the Library Advisory Committee until December 31, 2023.  
67 Moved by Councilor Thomson, seconded by Councilor Pelletier  
68 Motion Carried 7-0-0

69 e. (020120-10) The Kittery Town Council moves to approve Carolyn Nielsen's appointment to  
70 the Library Advisory Committee until December 31, 2023.  
71 Moved by Councilor Thomson, seconded by Councilor Pelletier  
72 Motion Carried 7-0-0

73 f. (020120-11) The Kittery Town Council moves to approve Thomas Newbold's  
74 appointment to the Library Advisory Committee until December 31, 2023.  
75 Moved by Councilor Thomson, seconded by Councilor Pelletier  
76 Motion Carried 7-0-0

77 g. (020120-12) The Kittery Town Council moves to approve Lindsay Burrowbridge's  
78 appointment to the Library Advisory Committee until December 31, 2023.  
79 Moved by Councilor Thomson, seconded by Councilor Pelletier  
80 Motion Carried 7-0-0

81 h. (020120-13) The Kittery Town Council moves to approve a Pole Permit application from  
82 Central Maine Power. The new pole will be placed on Betty Welch Road.  
83 Moved by Councilor Thomson, seconded by Councilor Pelletier  
84 Motion Carried 7-0-0

85 (020120-14) The Kittery Town Council moves to approve a Municipal Release Deed  
86 for Map/Lot 2-3.  
87 Moved by Councilor Thomson, seconded by Councilor Pelletier

88 Motion Carried 7-0-0  
89 j. (020120-15) The Kittery Town Council moves to schedule a Public Hearing on Title 6 -  
90 Animal Control on March 9, 2020.  
91 Moved by Councilor Thomson, seconded by Councilor Denault

92 Motion Carried 7-0-0

93 14. COUNCILOR ISSUES OR COMMENTS

94 Councilor Denault town going solar  
95 Councilor Thomson Frank J Wood bridge  
96 Vice Chair Brock  
97 Councilor Clark

98 15. COMMITTEE AND OTHER REPORTS

99 a. Communications from the Chairperson  
100 b. Committee Reports

101 16. EXECUTIVE SESSION -

102 17. ADJOURNMENT

103 Moved by Councilor Thomson, seconded by Councilor Pelletier

104 Motion Carried 7-0-0

Submitted by Kim Tackett

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Kittery Town Council UNAPPROVED MINUTES

Regular Meeting

February 24, 2020 6:00 p.m.

- 1 1. Call to Order
- 2 2. Introductory
- 3 3. Pledge of Allegiance
- 4 4. Roll Call
- 5 Councilors present: Charles Denault, Jeffrey Pelletier, Jeffery Thomson, Kenneth Lemont, Vice
- 6 Chair Matt Brock, and Chair Judith Spiller. Councilor absent: Cyrus Clark.
- 7 5. Agenda Amendment and Adoption
- 8 Chair Spiller moved 9.a. to before the Town Manager's report.
- 9 Chair Spiller cast 1 vote to accept the agenda as amended.
- 10 9. All items involving the town attorney, town engineers, town employees or other town
- 11 consultants or requested offices.
- 12 a. (020220-1) The Kittery Town Council moves to receive a presentation from the Joint Land
- 13 Use Study.
- 14 Jason Schrieber presented the Town of Kittery and the Portsmouth Naval Shipyard Joint Land
- 15 Use Study presentation.
- 16 6. Town Manager's Report
- 17 The Town Manager Reported on: the Kittery/York Border dispute, and the bus route to the Kittery
- 18 Foreside.
- 19 Upcoming Dates: Voter Registration Night February 26, 6PM to 7PM, Town Hall, Absentee Ballots
- 20 Deadline to Request February 27, 6PM, Town Hall, Presidential Primary & Special Referendum
- 21 Election March 3, 8AM to 8PM, KCC, Maine Bicentennial Presentation March 5, 6PM, Traip
- 22 Academy, and Mooring Permit Renewals Due April 15, Harbormaster or Online.
- 23 7. Acceptance of Previous Minutes – None
- 24 8. Interviews for the Board of Appeals and Planning Board – None
- 25 10. PUBLIC HEARINGS - None
- 26 11. DISCUSSION
- 27 a. Discussion by members of the public (three minutes per person)

28 Steve Holt from the Foreside inquired if anyone knew what the shipyard workers used to do long  
29 ago about traffic and parking.

30 Shaye Robbins, 24 Heron Point Lane, Kittery Point, Maine - Ms. Robbins spoke about economic  
31 stability and resilience for the Town of Kittery.

32 Jennifer Brewer, 18 Otis Avenue, Kittery Maine - Ms. Brewer wanted to thank everyone that  
33 worked on expanding the public transit in Kittery.

34 Wes Tator, 63 Old Post Road, Kittery, Maine - Mr. Tator expressed his concern regarding the  
35 economics of Kittery and potential expansion of the Portsmouth Naval Shipyard.

36 Debbie Curtis Kittery resident and business owner of Yarrow in Kittery, Maine - Ms. Curtis said  
37 she was excited about the changes being made for parking on Walker Street, as well as getting  
38 a crosswalk on Walker Street.

39 Chair Spiller read a letter from Suzanne Johnson.

40 b. Response to public comment directed to a particular Councilor. - None

41 c. Chairperson's response to public comment

42 Chair Spiller responded to Mr. Holt, Ms. Robbins, Mr. Tator, Ms. Brewer, Ms. Curtis and Ms.  
43 Johnson's letter.

#### 44 12. UNFINISHED BUSINESS

45 a. (020220-2) The Kittery Town Council moves to amend their previous motion and change the  
46 public hearing date for Title 6 – Animal Control to March 23, 2020.

47 Moved by Councilor Thomson, seconded by Councilor Pelletier.

48 Motion Carried 6-0-0

#### 49 13. NEW BUSINESS

50 a. Donations/gifts received for Council disposition.

51 b. (020220-3) The Kittery Town Council moves to approve the disbursement warrants.

52 Moved by Councilor Thomson, seconded by Councilor Denault.

53 Motion Carried 6-0-0

54 c. (020220-4) The Kittery Town Council moves to approve a renewal liquor license application  
55 from Rudders Public House, 70 Wallingford Square, Kittery.

56 Moved by Councilor Thomson, seconded by Councilor Pelletier.

57 Motion Carried 6-0-0

58 d. (020220-5) The Kittery Town Council moves to approve a renewal liquor license application  
59 from Ore Nell's BBQ, 2 Badgers Island West, Kittery.

60 Moved by Councilor Thomson, seconded by Councilor Pelletier.

61 Motion Carried 6-0-0

62 e. (020220-6) The Kittery Town Council moves to approve a renewal liquor license application

63 from Loco Coco's Tacos, 36 Walker Street, Kittery.

64 Moved by Councilor Thomson, seconded by Councilor Pelletier.

65 Motion Carried 6-0-0

66 f. (020220-7) The Kittery Town Council moves to schedule a Public Hearing on March 9th to

67 Amend TIF's.

68 The Town Manager gave an overview regarding the TIF's.

69 Moved by Councilor Thomson, seconded by Councilor Pelletier.

70 Motion Carried 6-0-0

71 g. (020220-8) The Kittery Town Council moves to schedule a Public Hearing on March 9th to

72 approve a Warrant Article to appropriate \$500,000 for the Wood Island Pier for the June 9, 2020

73 Town Meeting Secret Ballot Election and make their recommendations on the article.

74 Councilor Lemont gave an overview of the Warrant Article to appropriate \$500,000 for the Wood

75 Island Pier.

76 Moved by Councilor Denault, seconded by Councilor Lemont.

77 Councilor Pelletier spoke in opposition of the Public Hearing on March 9th to approve a Warrant

78 Article to appropriate \$500,000 for the Wood Island Pier for the June 9, 2020 Town Meeting Secret

79 Ballot Election.

80 Councilor Denault, Vice Chair Brock and Chair Spiller all commented on having a public hearing

81 to give the residents of Kittery a chance to express their opinions on this matter.

82 Motion Carried 5-1-0

83 Councilor Denault, Councilor Lemont, Vice Chair Brock, and Chair Spiller approved, Councilor

84 Pelletier opposed.

85 h. (020220-9) The Kittery Town Council moves to schedule a Public Hearing on March 9th to

86 approve a Warrant Article to expand the Gorges Road Station and Surplus the Walker Street Fire

87 Station for the June 9, 2020 Town Meeting Secret Ballot Election and make their

88 recommendations on the article.

89 Fire Chief David O'Brien gave an overview of the expansion for the Gorges Road Station and

90 Surplus the Walker Street Fire Station.

91 Moved by Councilor Thomson, seconded by Councilor Pelletier.

92 Motion Carried 6-0-0

93 14. COUNCILOR ISSUES OR COMMENTS

94 Councilor Denault spoke in remembrance of Kittery residents Diane Sylvester, Tommy Marshall,  
95 and Ann Goodwin.

96 Councilor Thomson asked if there had been any discussion with the Parks Commission in  
97 reference to the John Paul Jones Park. Chair Spiller responded by saying that they would be  
98 addressing John Paul Jones Park in the summer or fall. Councilor Thomson expressed his  
99 concerns and noted the recommendations of the Parks Commission in regards to parking outside  
100 the Fort Foster gate.

101 The Town Manager stated that there were real concerns with the recommendations and gave an  
102 explanation as to why. Chair Spiller also expressed her concerns about parking outside of the  
103 Fort Foster gate.

#### 104 15. COMMITTEE AND OTHER REPORTS

##### 105 a. Communications from the Chairperson

106 Chair Spiller mentioned that the Climate Adaptation Committee held their second flood resiliency  
107 workshop.

##### 108 b. Committee Reports – None

#### 109 16. EXECUTIVE SESSION – None

#### 110 17. ADJOURNMENT

111 Moved by Councilor Thomson, seconded by Councilor Pelletier.

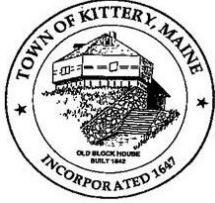
112 Motion Carried 6-0-0

Submitted by Kim Tackett

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# TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

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## REPORT TO TOWN COUNCIL

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Meeting Date: July 27, 2020  
UPDATED: August 10, 2020  
From: Kendra Amaral, Town Manager  
Subject: Transfer Requests for Fiscal Year 2020  
Councilor Sponsor: Chairperson Judy Spiller

---

### EXECUTIVE SUMMARY

In accordance with Town Charter 6.09(4) Transfer Appropriation, the following is a request to transfer unencumbered appropriation balances from Fiscal Year 2020 to various accounts and carryforwards as specified below.

I am seeking to utilize approximately \$552,633 of the operating budget surplus for directed needs, rather than pass it through to the undesignated reserve fund. The projected remainder, approximately \$159,566, will be left to cover audit adjustments. Unlike prior years, it is not anticipated that the Town will be able to add any significant funds to the undesignated reserves.

### STATEMENT OF NEED

As the close of the Fiscal Year 2020 is being prepared, a few departmental deficits have emerged. At the onset of COVID-19 (March 2020), we instituted a strict spending freeze in anticipation of revenue shortfalls. The trajectory of the pandemic was unknown at the time and remains in flux. By the close of FY20, revenue was sufficient to meet the town's expenditures. The operating budget transfers address the minimal deficit budgets and make sure each department has sufficient available funds for the year-end reconciliations and audit adjustments associated with closing the books for the year.

The Other Funds transfers are primarily focused on the compensated absences account, and accounts where a request to transfer from the undesignated reserve would otherwise be necessary. There is also a recommendation to restore some funding proposed in the CIP, but cut in the FY21 budget. Details for each transfer request are below.

### UPDATE

A final year end report was run on July 30, 2020, allowing some projected costs to be resolved or released. As a result of the updated report, the Planning Department transfer request has been deemed unnecessary. Transfer requests for Police and Miscellaneous have been reduced as well.

### OPERATING BUDGET

The transfer requests are rounded up from the actual anticipated deficit to allow for any residual bills from FY20 yet to be received, and for audit adjustments that may occur. The result will be each department will end the fiscal year with no less than a \$5,000 balance. Any remaining surpluses will pass directly to the undesignated reserve fund when the audit is completed.

- **From Administration to Police: \$40,000**

The overage is primarily the result of overtime. Due to Kittery's lean staffing model at the Police Department, a vacancy or long-term absence results in significant overtime costs. In FY20, the department was staffing for a long-term workers compensation absence (9 months), a vacancy, and a non-work-related long-term medical absence.

COVID has also played a role. Early in the pandemic, a handful of officers and dispatchers were required to self-quarantine due to potential exposures within and outside of work.

The new officer, hired to fill the vacancy noted above, is still unable to attend the Police Academy (Officer certification) due to the pandemic. At present, we are still filling the vacant shift with overtime, until this officer can be certified.

- **From Administration to Various Miscellaneous: \$15,000**

A number of the miscellaneous accounts have minor overages, totaling approximately \$12,194. These accounts include EPA Stormwater, York 911 PSAP, IT, Elections, and Streetlights. The transfer will support any final year-end expenditures and audit adjustments that occur in the closing of the FY20 books.

- **From Administration to Harbormaster: \$5,000**

The department is expected to finish the year less than \$1,900 under budget. The transfer will support any final year-end expenditures and audit adjustments that occur in the closing of the FY20 books.

- **From Health and Dental to County Taxes: \$1,783**

The County Tax budget is based on the estimate provided by York County in the spring. The actual assessment is not finalized and billed until July each year. The FY20 assessment was slightly higher than the budget estimate.

### ***CARRYFORWARDS***

- **From Various to FY21 Salary Adjustments: \$75,000**

This carry forward would provide the funding for a COVID-19 related Hazard payment for our public safety and essential services employees during the State of Maine's stay at home order. The details of the Hazard pay program are still being developed, and the funding requested is expected to cover wages, FICA, retirement, and other ancillary costs that result from wages.

### ***OTHER FUNDS/CAPITAL***

- **From Various to Senior Tax Circuit Breaker: \$50,000**

This account is funded each year through an approved warrant article and a transfer from the undesignated reserve. Rather than have these funds flow from the operating budget to the undesignated reserve, then back out to the Circuit Breaker reserve, we are looking to streamline the transfer and go straight from budget surplus to the reserve fund. The fund has a balance of \$5,000.

- **From Various to Emery Field: \$50,000**

The approved warrant article allows for funds to be transferred from the undesignated reserve to match the \$300,000 Land and Water Conservation grant. Rather than have these funds flow from the operating budget to the undesignated reserve, then back out to the project fund, we are looking to streamline the transfer and go straight from budget surplus to the project fund. Total project cost estimate for the Phase 2 construction is \$700,000; value engineering should be able to reduce this \$50,000; to \$650,000. Total capital and grant funding are \$600,000.

- **From Overlay to Compensated Absences Reserve: \$150,000**

Consistent with the prior three years' transfer requests, this transfer will rebuild a reserve balance that will be needed to offset future paid-time-off liabilities. Since FY18, we have paid \$374,934 in paid-time-off liabilities, of that \$70,860 was in FY20. The account has been able to handle these expenditures without having to utilize undesignated funds, because the Town Council has agreed to transfers from operating surpluses for the past three years. If approved, the transfer will bring the account balance to \$188,922.

The town is required to pay paid-time-off balances in accordance with Employee Retirement Income Security Act (ERISA), town ordinance, and collective bargaining agreements with the various Teamster units. The annual operating budget does not have sufficient funds to absorb larger payouts from employee departures.

- **From DPW to Fire Apparatus Reserve: \$165,850**

The allocation for the Fire Apparatus Reserve was cut from the capital plan for FY21 due to budget constraints. The Fire Apparatus Fund is scheduled out specifically to allow for replacement of the fire apparatus without the need for debt. Restoring these funds would avoid having to increase the allocation in the ensuing years to catch up.

## **PROPOSED SOLUTION/RECOMMENDATION**

Approve transfers and carryforwards as requested.

## **ATTACHMENTS**

- FY2020 Budget Roll-Up
- FY2020 Year End Transfers

Report to Council  
 Fiscal Year 2020  
 Year End Transfers & Carry Forwards  
 All Funds  
 UPDATED

**GENERAL FUND TRANSFERS**

FROM			TO		
101110	Administration	\$ 40,000	101310	Police	\$ 40,000
101110	Administration	\$ 15,000	Various	Miscellaneous	\$ 15,000
101110	Administration	\$ 5,000	101840	Harbormaster	\$ 5,000
103001	Health and Dental	\$ 1,783	101150	County Taxes	\$ 1,783
<b>Total General Funds Transfers</b>		<b>\$ 61,783</b>			<b>\$ 61,783</b>

**OTHER FUNDS TRANSFERS**

FROM			TO		
103000	Other Insurances	\$ 25,000	2005	Senior Tax Circuit Breaker	\$ 25,000
103002	Retirement	\$ 25,000	2005	Senior Tax Circuit Breaker	\$ 25,000
Various	DPW	\$ 165,850	4013	Fire Apparatus Reserve	\$ 165,850
101160	Overlay	\$ 150,000	2022	Compensated Absences	\$ 150,000
101830	KCC	\$ 25,000	2094	Emery Field Phase 2	\$ 25,000
103001	Health and Dental	\$ 25,000	2094	Emery Field Phase 2	\$ 25,000
<b>Total Other Funds Transfers</b>		<b>\$ 415,850</b>			<b>\$ 415,850</b>

**UNDESIGNATED RESERVE TRANSFERS**

FROM			TO		

**TRANSFER/CARRYFORWARD**

Account	Purpose	
Various	FY21 Salary Adjustments	COVID-19 Retro Hazard Pay \$ 75,000

Report to Council  
Fiscal Year 2020  
Budget Roll-Up

	BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	PROJECTION	AVAILABLE	% COLLECTED/ SPENT			
<b>REVENUE</b>	\$15,119,115	\$0	\$15,119,115	\$15,454,124		\$15,454,124	102.2%			
<b>OPERATING FUNDS</b>	<b>BUDGET</b>	<b>TRANSFERS</b>	<b>REVISED BUDGET</b>	<b>YTD ACTUAL</b>	<b>PROJECTION</b>	<b>AVAILABLE</b>	<b>% COLLECTED/ SPENT</b>	<b>Transfer Out</b>	<b>Transfer In</b>	<b>FINAL</b>
Administration	\$1,002,128	\$0	\$1,002,128	\$897,490	\$900	\$103,738	90%	\$ (90,000)		\$ 13,738
Overlay	\$166,618	\$0	\$166,618	\$0	\$0	\$166,618	0%	\$ (150,000)		\$ 16,618
Police	\$2,328,280	\$0	\$2,328,280	\$2,359,993	\$0	(\$31,713)	101%		\$ 40,000	\$ 8,287
Fire	\$351,083	\$0	\$351,083	\$321,180	\$0	\$29,903	91%	\$ (8,000)		\$ 21,903
DPW	\$1,987,658	(\$4,400)	\$1,983,258	\$1,769,195	\$0	\$214,063	89%	\$ (180,850)		\$ 33,213
Planning	\$533,512	\$0	\$533,512	\$508,344	\$13,739	\$5,468	95%			\$ 5,468
Misc	\$635,419	\$2,100	\$637,519	\$647,188	\$26	(\$9,694)	102%		\$ 15,000	\$ 5,306
KCC	\$1,084,675	\$0	\$1,084,675	\$1,041,767	\$0	\$42,908	96%	\$ (32,000)		\$ 10,908
Harbormaster	\$106,574	\$0	\$106,574	\$106,316	\$2,950	\$1,294	100%		\$ 5,000	\$ 6,294
Health & Dental	\$1,174,386	\$0	\$1,174,386	\$1,139,008	\$0	\$35,378	97%	\$ (26,783)		\$ 8,595
Other Insurances	\$995,553	\$0	\$995,553	\$968,498	\$241	\$28,864	97%	\$ (25,000)		\$ 3,864
Retirement	\$561,287	\$0	\$561,287	\$533,703	\$0	\$27,584	95%	\$ (25,000)		\$ 2,584
Debt Service	\$827,730	\$0	\$827,730	\$827,641	\$0	\$89	100%			\$ 89
Library	\$418,413	\$0	\$418,413	\$395,715	\$0	\$37,698	95%	\$ (15,000)		\$ 22,698
Capital Improvement	\$1,703,281	\$0	\$1,703,281	\$1,703,281	\$0	\$0	100%			\$ -
<b>TOTAL</b>	<b>\$13,876,597</b>	<b>(\$2,300)</b>	<b>\$13,874,297</b>	<b>\$13,219,319</b>	<b>\$17,856</b>	<b>\$652,198</b>	<b>95%</b>	<b>(\$552,633)</b>	<b>\$ 60,000</b>	<b>\$ 159,565</b>
County Tax	\$893,000		\$893,000	\$894,782		(\$1,782)	100%		\$ 1,783	\$ 1
TIF	\$236,000		\$236,000	\$236,000			100%			\$ -
<b>TOTAL OPERATING BUDGET</b>	<b>\$15,005,597</b>	<b>(\$2,300)</b>	<b>\$15,003,297</b>	<b>\$13,455,319</b>	<b>\$17,856</b>	<b>\$ 650,415</b>	<b>90%</b>	<b>(\$552,633)</b>	<b>\$61,783</b>	<b>\$ 159,565</b>
<b>CARRYFORWARDS</b>										
Salary Adjustment									\$ 75,000	
<b>OTHER FUNDS</b>										
Emery Field Phase 2									\$ 50,000	
Compensated Absences									\$ 150,000	
Fire Apparatus									\$ 165,850	
Senior Tax Circuit Breaker									\$ 50,000	
<b>TOTAL SURPLUS</b>						<b>\$650,415</b>	<b>4.3%</b>	<b>(\$552,633)</b>	<b>\$552,633</b>	<b>\$159,565</b>

WARNING - THIS CHECK IS PROTECTED BY SPECIAL SECURITY GUARD PROGRAM™ FEATURES

**Northeast**  
CREDIT UNION  
2114

P.O. Box 1240  
Portsmouth, NH 03802-1240  
(888) 436-1847

54-8963  
2114

02-600000973

DATE
07/16/20

\$2,000.00

PAY \*\* Two Thousand and 00/100 DOLLARS \*\*

TO THE TOWN OF KITTERY MAINE  
ORDER ATTN:USS THRESHER  
OF 200 ROGERS RD  
KITTERY ME 03904

**OFFICIAL CHECK**  
VOID AFTER 90 DAYS

*Timothy Collier*  
Authorized Signature

HEAT SENSITIVE  
RUB AREA TO VERIFY

THIS CHECK CONTAINS MULTIPLE SECURITY FEATURES - SEE BACK FOR DETAILS





**TOWN OF KITTERY**  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1329 Fax: 207-439-6806

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**REPORT TO TOWN COUNCIL**

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Meeting Date: August 10, 2020  
From: Councilor Cyrus Clark  
Subject: Public Park - Old Post Properties Acquired through Tax Foreclosure  
Council Sponsor: Councilor Clark and Councilor Lemont

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**OVERVIEW**

The Town of Kittery is expecting to obtain clean title for 42 and 44 Old Post Road in the coming months. These properties are being obtained through tax foreclosure due to unpaid taxes, in accordance with Maine law. The Council is being asked to consider transforming these properties into a public park and to name the new public space Thomson Park in recognition of the Thomson family.

**PROPERTY DETAILS**

The two properties are adjacent to Legion Pond and previously were the sites of Mary's Store and the Bus Depot (see attached map). Prior to Mary's Store, the property and building were operated as Thomson Brothers Store. The properties were purchased by Mr. James Dineen in 1973, then transferred to Ms. Diana Sylvester in 1990. The Town filed for quiet title judgment on its tax foreclosures in the summer of 2019. At the time of filing the properties were still held by Diana Sylvester.

The properties are adjacent to each other and combined equal 0.8 acres of land. 44 Old Post Road is vacant and no longer has a structure on it. 42 Old Post has a large garage structure used for auto repair in the past and most recently vehicle and junk storage. The new assessed values for both parcels are projected at \$429,800 combined.

The properties were obtained through tax foreclosure. Neither property is registered as a homestead for the prior owner, Ms. Sylvester. Per Town Charter and Town Code they may be disposed of utilized at the discretion of the Town Council.

To transform the properties into a public park, it is expected the project would require demolition of the remaining structures, site remediation, grading, installation of parking and stormwater BMPs. Particular care will be needed in determining the stormwater measures and plant selection to avoid exacerbating the Legion Pond water quality. Once installed ongoing maintenance will be required. A cost estimate has not been developed for construction or maintenance of the project.

The Town has had multiple court actions on the properties, specifically involving Mr. Dineen, for the disrepair of the sites. The Town has been engaged in court proceedings to force the clean-up of the sites for a number of years. Per order of the presiding judge, the Town was allowed to tear down the Mary's Store structure. Some immediate remediation of the site was required due to fuel oil being found in the ground and some hazardous materials in the building. Subsequent additional court orders allowed the Town to remove unregistered and junked vehicles from the Bus Depot site and prevent additional vehicles from being brought on site. To date the Town has not recouped its costs or legal fees. Obtaining

marketable quiet title to the properties will be the only compensation the Town will receive for its efforts and expenses.

Total cost owed to the Town for unpaid taxes and sewer is \$36,129 and total costs associated with the legal actions is approximately \$102,000.

**PROPOSED SOLUTION/RECOMMENDATION**

Council vote to retain the parcels upon receiving clear title, and direct the Town Manager to include the design and construction of a public park in development of the next Capital Improvement Plan.

**ATTACHMENTS**

- Map of area





# Old Post Properties

Kittery, ME



1 inch = 68 Feet



August 5, 2020



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



**TOWN OF KITTERY**  
200 Rogers Road, Kittery, ME 03904  
Telephone: 207-475-1329 Fax: 207-439-6806

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**REPORT TO TOWN COUNCIL**

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Meeting Date: August 10, 2020  
From: Councilor Cyrus Clark  
Subject: Public Parking – 3 Walker Street  
Council Sponsor: Councilor Clark and Councilor Lemont

---

**OVERVIEW**

The Town of Kittery is expecting to obtain clean title for 3 Walker Street in the coming months. This property is being obtained through tax foreclosure due to unpaid taxes, in accordance with Maine law. The Council is being asked to consider transforming this property into parking, to add spaces to the Wallingford Square lot.

**PROPERTY DETAILS**

The property is adjacent to Wallingford Square public parking lot. The property was owned by Mr. James Dineen, then transferred to Ms. Diana Sylvester. The Town filed for quiet title judgment on its tax foreclosures in the summer of 2019. At the time of filing the properties were still held by Diana Sylvester.

The property is approximately 0.10 acres and has a former law office on the site. The new assessed value for the parcel is projected at \$178,700. The Town had the property appraised in 2019 and received an estimated value of \$250,000.

The property was obtained through tax foreclosure. The parcel is not registered as a homestead for the prior owner, Ms. Sylvester. Per Town Charter and Town Code it may be disposed of utilized at the discretion of the Town Council.

To transform the property into a parking lot, the existing structure will need to be demolished and a lot with stormwater drainage will need to be constructed. Engineering should be conducted to determine how many parking spots would possible on the site, and whether it can/should be combined with the Wallingford Square lot to maximize flow and parking spots.

Total cost owed to the Town for unpaid taxes and sewer is \$13,609.

**PROPOSED SOLUTION/RECOMMENDATION**

Council vote to retain the parcel upon receiving clear title, and direct the Town Manager to include the design and construction of a parking lot in development of the next Capital Improvement Plan.

**ATTACHMENTS**

- Map of area



# Walker Property



Kittery, ME

1 inch = 34 Feet

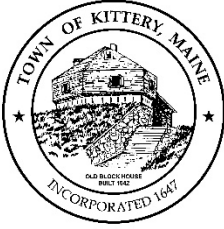


August 5, 2020



-  Property Line
-  Public Road
- Map - Lot Labels

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## **EMERGENCY WAIVER OUTDOOR RETAIL AND RESTAURANT SALES PANDEMIC COVID-19**

**WHEREAS**, COVID-19, also known as coronavirus is a highly infectious virus that poses an imminent disaster to the residents, workers, and visitors to Kittery; and

**WHEREAS**, the Governor of Maine declared a state of civil emergency for Maine on March 15, 2020; and

**WHEREAS**, the Town Manager declared a local disaster existed in Kittery on March 25, 2020 in accordance with the Title 8.3.6 of the Town Code; and

**WHEREAS**, the Town of Kittery, in whole, is deemed vulnerable to the virus; and

**WHEREAS**, the need to prevent further spreading of the virus through person-to-person contact requires actions that include potential regulations and enforcement waivers pertaining to the movement of persons and vehicles, and commerce within and outside of the Town; and

**WHEREAS**, the Governor of Maine has encouraged communities to work with their commercial businesses on outdoor retail and dining to alleviate limitations on business operations resulting from required social distancing and limitations on congregating during the COVID-19 pandemic; and

**WHEREAS**, the Kittery Town Council wishes to support the businesses in town by making outdoor sales and dining possible through streamlined review and approval processes that respond to evolving safety guidelines for safe operations during the COVID-19 pandemic; and

**NOW, THEREFORE**, the Kittery Town Council hereby waives enforcement of the following provisions of Title 5.7 Sidewalk Sales and authorizes the Town Manager to approve Request for Extension of License on Premise applications effective June 1 through September 7, 2020, unless otherwise modified by a vote of the Town Council.

- **5.7.5. and 5.7.7 Town Council Approval** - Approvals may be granted administratively upon staff review and approval of an application and site plan.
- **5.7.6.A Four-Day Limitation on Sidewalk Sale Duration** – Sidewalk sale approvals may be valid through July 31, 2020 unless the Council modifies the waiver.
- **5.7.6.B Signature of Five Landlords** – requirement to obtain signatures from five landlords is waived.
- **5.7.10 Review Standards Parking** – Number of obstructed parking spaces may exceed 10%.
- **5.7.13 Temporary Street Closing** – Street closing and public parking obstructions may be approved by the Town Manager.

**Motion to approve made by Councilor** Thomson **and seconded by Councilor**

Pellitier, **and passed by a vote of** 7-0-0 **on the** 27th **day of**

May, 2020.