



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

August 27, 2018

Council Chambers

**Kittery Town Council
Regular Meeting
6:00 p.m.**

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 – **6/25/18 Special Meeting; 6/25/18 Regular Meeting; 7/02/18 Special Meeting; 7/23/18 Regular Meeting.**
8. Interviews for the Board of Appeals and Planning Board – **None**
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.
 - a. (080118-1) The Kittery Town Council moves to discuss and place a non-binding referendum question on the November 6, 2018 ballot to consider Marijuana operations in the Town of Kittery.
10. PUBLIC HEARINGS
 - a. (080118-2) The Kittery Town Council moves to hold a public hearing to approve an application from Eric Amsden, for a Victualer's License for Red Rover, LLC at 76 Wallingford Square, Kittery, Maine.
 - b. (080118-3) The Kittery Town Council moves to hold a public hearing to approve an application from James McSharry for a Victualer's License for Water Street Inn, LLC at 6 Water Street, Kittery, Maine.
 - c. (080118-4) The Kittery Town Council moves to hold a public hearing and ordains an amendment to Title 2- Recreation Department.
 - d. (080118-5) The Kittery Town Council moves to hold a public hearing to approve a multi-year agreement for a Public Safety Answering Point service with the Town of York, Maine.

- e. (080118-6) The Kittery Town Council moves to hold a public hearing to approve the ballot language for the Comprehensive Plan Referendum to be placed on the ballot for the November 6, 2018 municipal election.
- f. (080118-7) The Kittery Town Council moves to hold a public hearing in accordance with Sec. 6.09 (4) of the Kittery Town Charter to transfer appropriations and carry forward requests between accounts.
- g. (080118-8) The Kittery Town Council moves to hold a public hearing to approve an application from Delta Amusement Inc., for a Special Activity/ Amusement Permit for the Navy Yard Bar + Billiard, 182 State Road.
- h. (080118-9) The Kittery Town Council moves to hold a public hearing to approve an application from Tributary Brewing Co. LLC, for a Special Activity/ Amusement Permit for Tributary Brewing Co., 10 Shapleigh Road.

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
- b. Kittery Town Council moves to approve the disbursement warrants.
- c. (0800118-10) The Kittery Town Council moves to put in a request to Maine Department of Transportation to reduce the speed limit on State Road from 35 MPH to 25 MPH.
- d. (080118-11) The Kittery Town Council moves to approve a request from Fuel & More to hang a banner across Rogers Road from October 1st through October 22nd, 2018 to advertise the Foreside for Fuel.
- e. (080118-12) The Kittery Town Council moves to approve a request from Keller Williams Realty to host an event to benefit End 68 Hours of Hunger at the Tributary Brewing Company on Sunday, October 14, 2018 from 8:00am until 5:00pm.
- f. (080118-13) The Kittery Town Council moves to approve a request from the Kittery K-8 PTA for their eighth annual Kittery PTA Seaside 4 Miler, September 23, 2018, at Fort Foster.
- g. (080118-14) The Kittery Town Council moves to approve a request from Tributary Brewing Company to hold a special event for their Fourth Anniversary on Saturday, September 8, 2018, from 12:00 noon until 8:00 p.m.
- h. (080118-15) The Kittery Town Council moves to approve a request form Tributary Brewing Company to hold a special event for the release of Mott the Lesser on Saturday, October 13, 2018 from 12:00 noon until 8:00 p.m.

- i. (080118-16) The Kittery Town Council moves to re-appoint the following members to the Kittery Port Authority;
 - Steve Lawrence until 12/31/2023
 - Charles Patten until 12/31/2023
- j. (080118-17) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Board of Assessment Review to interview William Pierce for appointment to that board as an alternate member.
- k. (080118-18) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Board of Assessment Review to interview Bradford Connelly for appointment to that board as an alternate member.
- l. (080118-19) The Kittery Town Council moves to schedule a public hearing on September 10, 2018 on Title 16- Land Use and Development, to add a new mixed-use neighborhood.
- m. (080118-20) Kittery Town Council moves to schedule a public hearing on September 10, 2018 to amend Title 8- Public Health and Safety.
- n. (080118-21) The Kittery Town Council moves to approve a renewal application from Delta Amusement INC., 182 State Road, Kittery, ME for a Malt, Vinous and Spirituous Liquor License for Navy Yard Bar + Billiard, 182 State Road.
- o. (080118-22) The Kittery Town Council moves to approve a renewal application from The Black Birch Inc, 2 Government Street, Kittery, ME for a Malt, Vinous and Spirituous Liquor License for The Black Birch, 2 Government Street.
- p. (080118-23) The Kittery Town Council moves to discuss adopting a policy/ordinance to the Kittery Town Code for the naming of public places/spaces in the town of Kittery.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

(080118-24) The Kittery Town Council moves to go into executive session with the Town Manager in accordance with 1 M.R.S. § 405(6)(E) regarding pending or contemplated litigation.

17. ADJOURNMENT

Posted: August 23, 2018



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 27, 2018

- 1. SAFE Van Accident** – The Council has been receiving general updates on the accident and the steps I am taking to investigate the circumstances. The crash has touched so many in our community in a profound way.

Though our focus now is primarily on the cause, it is important that we stop for a moment and recognize those who stepped up and stepped in to help while the incident was unfolding.

On behalf of the Town, I wish to thank everyone who responded, pitched in, and came out to help where and when help was needed. There are too many to name in a summary. I have been sending letters and tokens of recognition over the past few weeks, and will continue to take steps to express my gratitude.

Public safety responders, bystanders, and our staff were deliberately focused on the what needed to be done to get the passengers and driver to safety, to notify parents, make sure the children and staff on the other buses were taken care of, answering calls, responding to questions, dealing with the onslaught of the media, implementing contingency plans, etc. There are opportunities to correct and improve our response, but I can say with confidence the response to the incident was handled with compassion, professionalism, and a focused determination to do what was needed.

The internal investigation is still underway. I ask for your patience as this is conducted; it is critical that we get all the relevant information in hand before conclusions are made. I will release a report of the investigation to the Council and community once it is complete.

- 2. FEMA FIRM Maps** – The FIRM Map appeal period began on August 1st. We have 90 days to submit an appeal to FEMA to dispute the scientific or technical approach to the flood risk calculations. We have engaged Ransom Consulting for the second phase of their work. The estimated cost is approximately \$25,000 for Phase 2.

Phase 2 entails using the model they developed in Phase 1, to evaluate flood risks on five transects (geographical areas) in Kittery (see attached). They will also develop the town's appeal submission.

The Portsmouth Naval Shipyard is also submitting an appeal. Since they are on federal land their separate appeal is allowed. I have submitted an acknowledgement and support letter for their appeal.

- 3. Memorial Circle Plantings** – MDOT was in Kittery the week of August 6th to conduct a punch list inspection on the Memorial Circle project. The project has not yet been closed out by the MDOT; the contractor had a few more items to address. Despite this, we have performed another cutting of some of the beach grass to address visibility concerns.

The design of the planters was specifically to slow traffic down/prevent people from speeding into the traffic circle. The beach grass is also supposed to be low maintenance requiring less landscaping than other plantings. With that noted, we are finding at least two of the planters are not functioning quite as intended. We will be looking at alterations that can address the visibility concerns while still being lower maintenance. These changes cannot be implemented until the project is closed out and the traffic circle is turned over to the town, which will likely be this fall.

4. **2018 Q2 Quarterly Goals Report** - Please see attached.
5. **Fiscal Year 2018 Year End Financial Report** – I have included a detailed financial report with the Transfer Request materials in your packet.
6. **Robert Marchi Retirement** – Please help me in wishing Robert Marchi, Code Enforcement Officer, well as he starts his retirement at the end of August. Mr. Marchi has served as CEO for three years. He was instrumental in the decision to bring the online permitting tool to Kittery, and has worked to streamline processes and improve service at the permit counter.

All are welcome to join us for an open house on August 30th from 3PM to 5PM in Council Chambers to celebrate his retirement.

7. **William Walsh Promotion** – Please help me in congratulating William Walsh on his promotion to Police Sergeant. Sgt. Walsh has served in the Kittery Police Department with distinction for 11 years. He was awarded a Meritorious Service Award and a Life Saving Award in 2017 for his efforts in two different crisis situations. Sgt. Walsh has an Associate's Degree in Criminal Justice, and over twenty years of law enforcement experience in Maine. He is highly respected in the community and in his department. Sgt. Walsh fills the open position created by John Brosnihan's retirement.

Upcoming Dates:

- Nomination Forms Due Back – August 27, Town Clerk's Office
- Retirement Open House for Robert Marchi – August 30, 3PM to 5PM, Council Chambers
- Candidate Night – October 10, 6PM, Council Chambers

Respectfully Submitted,



Kendra Amaral
Town Manager

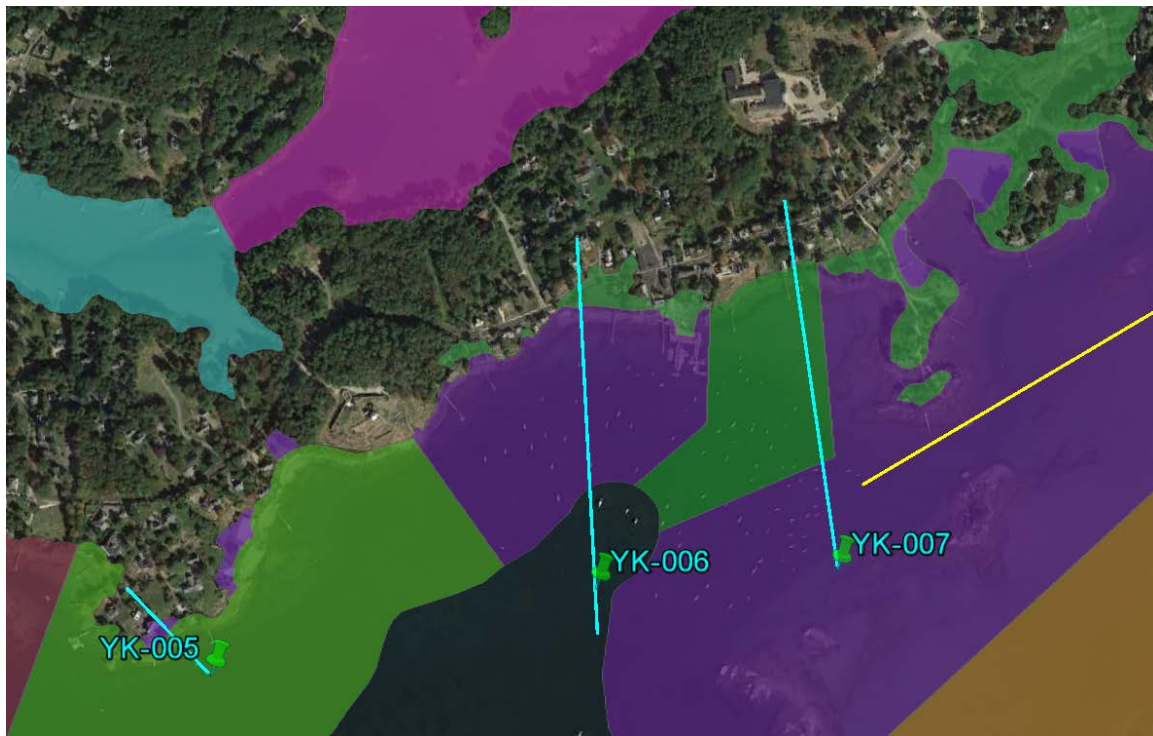


Figure 1. Recommended Priority Transects for Re-evaluation near Kittery Point.

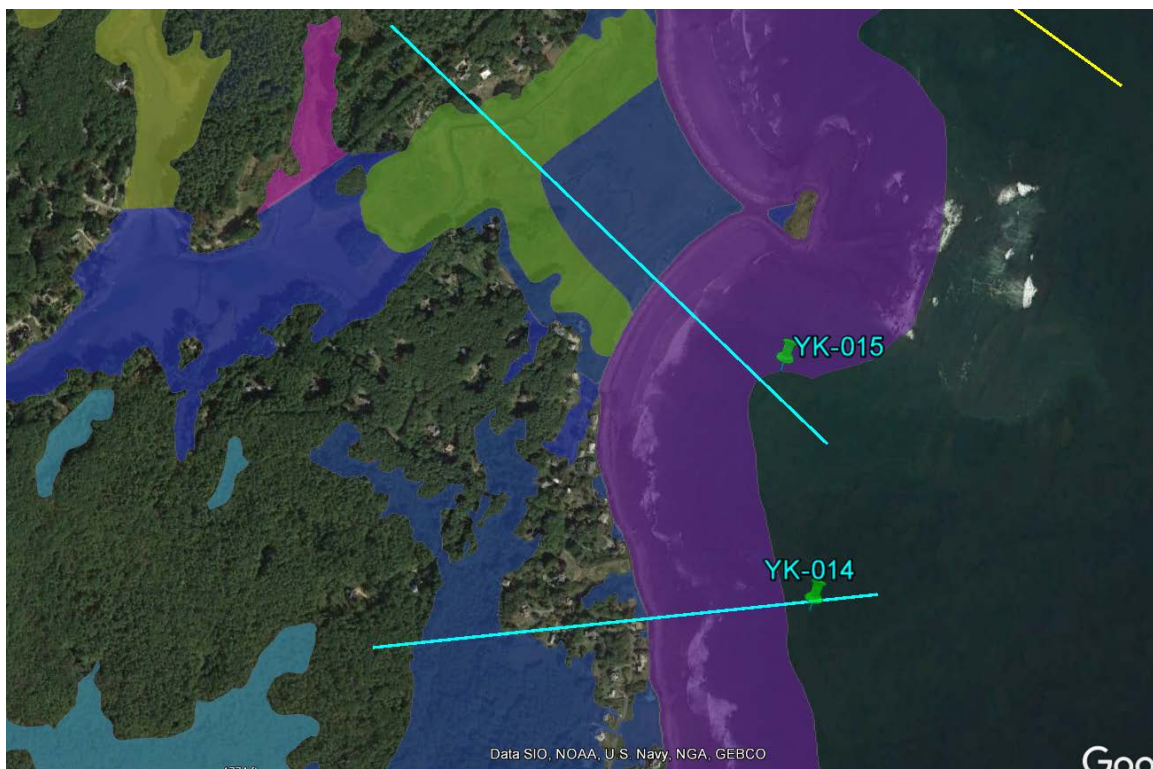


Figure 2. Recommended Priority Transects for Re-evaluation near Gerrish Island.

TOWN COUNCIL GOALS

2018

2ND QUARTER REPORT

1. Work together respectfully toward consensus, capitalizing on our experiences and diversity.
2. Continue to work on sharing services with neighboring towns.
3. Address proposals for Charter, Ordinance, and policy changes for improving efficiency and effectiveness of Town operations, including:
 - Title 2 – Personnel – **In process**
 - Title 4 – Boards and Commissions – **In process**
 - Title 5 – Business Licenses and Regulations
 - Title 6 – Animals
 - Title 13 – Public Services – **Complete**
 - Proposed – Title 15 – Ethics – **Withdrawn**
 - Title 16 – Land Use – **In process**
4. Support the Town Manager to achieve greater economy & effectiveness in the delivery of services. – **On going**
5. Adopt a budget that is progressive, responsible, and visionary – moving the community forward.
– **Complete**
6. Conduct quarterly review of Council and Manager progress on annual goals. – **On going**
7. Give attention to Councilor expressed items, including:
 - Impacts of Shipyard and MaineDOT on local traffic – **In process**
 - Senior Property Tax Circuit Breaker Program - **Complete**
 - Energy Efficiency Efforts – **In Process**
 - Rice Public Library as a Town Department – **In process**
 - Rice Public Library facility project - **In process**
 - Comp Plan adoption on the November 2018 ballot - **In process**
 - Foreside Study and action plan completion, and progress on action plan - **In process**

TOWN MANAGER ANNUAL GOALS
STATUS REPORT – 2018 Q2

Updates in Red

2018 GOALS	STATUS	Update
Support Long-Term Planning and Growth Management Objectives		
Enhance the Town's economic development activities and work with local and regional organizations to attract, support, and sustain appropriate local economic investment	On going	Completed brownfields analysis on Sowerby parcel, development planning ongoing. Launched brownfield analysis of Water District site with KWD approval. Working with owner of Cook block on development planning.
Propose and implement zoning amendments that support desired growth in the targeted growth areas including the Business Park, Route 1, Route 1 Bypass	In process	Mixed Use Neighborhood rezone (Business Park) approved by Planning Board. Town Council planning to consider zoning amendment in August. Inclusionary Housing working group planning Oct charrette. RFP for consultant to assist with Title 16 recodification issued.
Develop and begin to implementation of an action plan associated with the Foreside Land Use, Parking, and Transportation Study	In process	Action plan drafted, initial key actions include addressing parking perception issues, parking time limits in Foreside area, and master planning the State Road portion of the project area. Survey being finalized, parking amendments being drafted.
Support town process to adopt the 2015-2025 Updated Comprehensive Plan	In process	Public hearing completed by CPUC. State reaffirmed consistency determination. Council to vote on ballot language in August.
Enhance Financial Stability		
Produce a 2019 budget that seeks to maintain a stable tax rate, and that is adequately justifiable in comparison to appropriate economic indicators and comparable communities.	Complete	Worked with School Department to manage overall cost increases in association with tax rate and economic indicators. Adopted by Council in June.
Develop a policy to manage tax liens in a timely manner and address tax liens from prior years.	In process	Review of foreclosure property in process; presentation to Council in fall on property disposition. Flyers and other information developed to inform public of options on tax assistance programs adopted by Council.

**TOWN MANAGER ANNUAL GOALS
STATUS REPORT – 2018 Q2**

Updates in Red

Develop options to resolve the current Sewer Enterprise Fund challenges and implement as guided by Council.	Complete	Following two workshops and a public hearing, Council voted to adjust the rates. New rates are in effect for July.
Develop a Facility Master Plan to inform the Capital Improvement planning.	In process	Facility Maintenance Supervisor is completing the building inventory process including creating an inventory of all systems (roofs, MEP systems, building envelopes) with details on useful life remaining and cost to replace.
Resolve the matter of the Library becoming a Town department, resolve the Taylor Building disposition, and advance the Library renovation and expansion project efforts.	In process	Library Transition committee reviewing documentation and developing recommendations. Taylor Building Com reviewing relevant documentation and discussing options. Rice Building Com in process of developing RFP.
Continue to Improve Organizational Efficiency		
<p>Continue to propose and implement Charter, Ordinance, and Rule changes that improve efficiency and effectiveness of town operations.</p> <ul style="list-style-type: none"> ○ Title 2 – Personnel ○ Title 4 – Boards and Commissions ○ Title 5 – Business Licenses and Regulations ○ Title 6 – Animals ○ Title 13 – Public Services 	On going	Town Council to vote on changes to Title 2 to reflect renaming of Recreation department; Title 4 being drafted for Council consideration in fall.
Prioritize employee safety and reduction of workers compensation costs, take steps to begin reducing the town's current experience modification factor of 1.23.	On going	Safety Committee is meeting regularly. Committee releases quarterly safety advisories and reviews claims. Mod rate for coming year is projected at 1.17 which is the result of a combination of older claims dropping off and fewer/less severe newer claims.

TOWN MANAGER ANNUAL GOALS
STATUS REPORT – 2018 Q2

Updates in Red

Increase Public Awareness and Engagement		
Continue to improve town generated communications and ensure they are concise, accurate, and accessible for a variety of audiences	On going	Adjusted format and approach to public communications; KCC rebranding and redesign of website is launching. Star Theater is being wired to increase options for filming/broadcast of programs. Mobile broadcast unit being purchased.
Propose revisions to Title 4 that enhance public interest in volunteering to serve on boards, commissions and committees.	On going	Increased public notification and outreach for volunteers.

**Kittery Town Council
Special Meeting – June 25, 2018
5:30 p.m.
Requested by Chairperson Kenneth Lemont
Conference Room A**

1. Call to Order: Chairperson Lemont called the meeting to order at 5:30 p.m. He said he wanted to make an amendment to the meeting.
2. Introductory: Chairperson Lemont read the introductory.
3. Pledge of Allegiance: Chairperson Lemont led those present in the Pledge of Allegiance.
4. Roll Call: Answering the roll were Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Gary Beers, Matthew Brock, Vice-Chair Charles Denault and Chairperson Kenneth Lemont.
5. EXECUTIVE SESSION:

a. (062502-1) The Kittery Town Council moves to go into Executive Session in accordance with M.R.S. 36 §841 (2) E, to consider an application for a hardship abatement due to poverty or infirmity.

COUNCILOR THOMSON MOVED TO ENTER EXECUTIVE SESSION AT 5:32 P.M. IN ACCORDANCE WITH M.R.S. 36 §841, (2) E, TO CONSIDER AN APPLICATION FOR A HARDSHIP ABATEMENT DUE TO POVERTY OR INFIRMITY. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

COUNCILOR THOMSON MOVED TO EXIT EXECUTIVE SESSION AT 6:04 P.M., SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

6. ADJOURNMENT:

COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT 6:05 P.M. SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE.

Respectfully submitted,

Barbara Boggiano
Recording Secretary

**Kittery Town Council
Regular Meeting
June 25, 2018 – 6:00 p.m.
Council Chambers**

1. Call to Order: Chairperson Lemont called the regular meeting to order at 6:05 p.m.

2. Introductory: Chairperson Lemont read the introductory.

3. Pledge of Allegiance: Chairperson Lemont led those present in the Pledge of Allegiance.

4. Roll call: Answering the roll were Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Gary Beers, Matthew Brock, Vice Chairperson Charles Denault and Chairperson Kenneth Lemont.

5. Agenda Amendment and Adoption: Chairperson Lemont asked if there were any amendments to the agenda. Councilor Beers replied he would like to add an item under 16, Executive Session and that it would be item "a": "The Kittery Town Council moves to go into Executive Session in accordance with MRS 36, §841, (2), E to consider an application for a hardship abatement due to poverty or infirmity." He said that the Executive Session as listed on the agenda would become "b."

After hearing no other amendments, Chairperson Lemont cast one vote to accept the agenda as amended.

6. Town Manager's Report: As a follow-up to a request by Vice-Chair Denault, Town Manager Amaral reported that household hazardous waste is collected at the Resource Recovery Facility year-round, and they have to be disposed of legally to meet Federal Code. She said they do have vendors that will accept hazardous waste; however, there is no vendor who will accept pesticides. She said the DPW recently updated their Household Hazardous Waste material list and cost of disposal.

Town Manager Amaral said as a follow-up to address the issue of seasonal traffic, she did reach out to MDOT as requested and spoke with Mr. Illian, who told her they will not be successful in lowering the speed limits on some roads. She said they may have an increase in speed limits but that DOT would have to conduct a speed study first. She said they may have had a road posted at one speed and they would have to re-post the roads with a legal speed, so they are at a little bit of a dead end.

Town Manager Amaral reported that in the meantime, she is trying to find a more technological approach to address these issues through way finding apps. She said if Council is interested in pursuing this, she was informed that DOT does have a back-up on speed limit control requests.

Town Manager Amaral said the Port Authority was approached by Mr. Gunnar Ek regarding his aquaculture proposal and he has been helping out the Harbor Master. She said Mr. Ek would like to expand his aquaculture operation and will be presenting his idea to the community at the Port Authority's meeting of July 5th. She said any Councilor interested in seeing the presentation is invited to attend the meeting and she will provide a copy of his presentation to Council. She said that his idea needs to be viewed publicly.

Vice-Chair Denault, through the Chair, thanked the Town Manager for the information on the Household Hazardous Waste and asked if the schedule could be posted online. Town Manager Amaral said it is posted on the town's website.

7. Acceptance of Previous Minutes – May 30, 2018

Several corrections were noted. Chairperson Lemont cast one vote to place on file the minutes of May 30th as amended.

8. Interviews for the Board of Appeals and Planning Board: none

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

a. (060318-1) The Kittery Town Council approves a resolution to recognize the Maine National Guard for their efforts and contributions to the restoration of Wood Island.

Chairperson Lemont said the Town Council would like to recognize the National Guard and read the following resolution:

Whereas, the Maine Army National Guard's 136th Engineer Company was present in Kittery from June 1, 2018 to June 30, 2018 to perform technical rehabilitation and repair work on Wood Island; and

Whereas, the Maine Army National Guard's 136th Engineer Company applied their highly skilled staff and resources in the projects of reconstructing the northern seawall as well as rebuilding and installing the rough electric and plumbing systems inside the Life Saving Station's historic shed; and

Whereas, through their efforts, the Maine National Guard performed work valued in excess of \$500,000 for their labor on behalf of the Town of Kittery and in support of the Wood Island Life-Saving Station Association; and

Whereas, the Maine National Guard also utilized Fort Foster for their encampment which celebrated the military history of the fort, and provided visitors with a unique opportunity to learn more about Wood Island restoration project and the work of the Maine National Guard.

Now, therefore, the Kittery Town Council wishes to recognize the Maine Army National Guard's 136th Engineer Company for their efforts and contributions to the restoration of Wood Island. Representing the Maine Army National Guard's 136th Engineer Company this evening is First Sergeant Kameel Farag and Sergeant First Class Kevin Sirois.

Chairperson Lemont thanked them and presented the resolution to First Sgt. Farag and Sgt. First Class Sirois and shook their hands. Everyone applauded. He asked if either one cared to say something, they are welcome to do so.

First Sergeant Farag thanked the Town Council for the opportunity to be recognized. He expressed a huge thank you to everyone who made this project a reality, to Mr. Reed, and the biggest thank you to the people of Kittery who have been amazing hosts, thank you.

b. (060318-2) The Kittery Town Council moves to receive a presentation from Jen Thayer and approve her request for a "Little Free Library" to be placed at Inspiration Park.

Jen Thayer, 47 Martin Rd. and Samantha "Sam" Bailey, 36 Whipple Rd., did a presentation on the "Little Free Library" and spoke briefly about the history on the project. Ms. Thayer said they would like to place a special "box" at Inspiration Park at the intersection of State Road and Government St. She said there are four of these little free libraries and they are placed at each school and that Judy Kehl told her about Inspiration Park.

Ms. Bailey reported the books are provided by a non-profit organization, which sparks creativity in the neighborhoods around the world. She stated that academically, children are growing up in homes

without books and are three years behind their peers in other countries. She said that 61% of low-income families do not have books in the home and that the "little free libraries" are placed to encourage the love of reading and for more information, go on the website, www.littlefreelibraries.org

Ms. Thayer said they have them built and ready to go, but they have one that is not so little and it would have to be placed in an area near John Paul Jones park.

Councilor Dennett wanted to know who owns the land where this is going to be located?

Ms. Thayer replied the State owns it and Judy Kehl created that park quite a few years ago. She said she did talk with David Rich about this and asked for some assistance.

Councilor Dennett said he has no objection to it, but his only interest and what he wants to know is, has the owner of the property given consent for this to be placed there?

Ms. Thayer said that Judy Kehl gave us consent.

Councilor Dennett asked if Judy Kehl owns the property?

Councilor Dennett wanted to know if Ms. Thayer had checked with the CEO regarding re-zoning?

Town Manager Amaral said the town maintains the benches in the park and has checked on the provisions and there is no zoning violations.

Councilor Dennett asked again who owns it?

Town Manager Amaral said she will get him the owner's name right now.

Vice-Chairperson Denault asked if they are the big boxes on a pedestal that looks like a birdhouse?

Ms. Thayer said yes.

Vice-Chairperson Denault wanted to know if it was moveable or is it permanent?

Ms. Thayer said the one she is referring to has not been cemented in the ground. She discussed this with Sam, and asked her to speak about it.

Ms. Bailey said, at Shapleigh, it seems to be located near the driveway, next to the road and the students do not have access to it. She said her teachers do not take the students down there so it does not get used to her knowledge.

Ms. Thayer said there are three entrances to the park and would like to place this at the first entrance since that is most visible. She said they can move it and go back later and cement it in.

Vice-Chairperson Denault said it sounds like it will be moveable, based on what Ms. Thayer is saying.

Ms. Thayer said she would assume that they would need to contact "Dig Safe" before moving forward.

Chairperson Lemont asked the Town Manager if it was her understanding that they need approval from the Town Council in order for them to do this?

Town Manager Amaral replied yes, she thought so.

Councilor Thomson shared Councilor Dennett's concern. He said there is a hill and a slope there which was part of the Wentworth-Dennett School grounds and was turned over to the town. He wanted to know how far inland does the right-of-way go from State Road or is it in the State's right-of-way?

Town Manager Amaral replied she cannot answer that question and would have to work with them for all approvals given the town would be on board with it.

COUNCILOR THOMSON MOVED THAT THE TOWN COUNCIL APPROVE, IN PRINCIPLE, THE REQUEST FROM JEN THAYER FOR THE LITTLE FREE LIBRARY TO BE PLACED AT INSPIRATION PARK LOCATED AT THE CORNER OF STATE ROAD AND GOVERNMENT STREET, PENDING RESEARCH OF ALL APPROVALS AND PERMITS, SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

Chairperson Lemont thanked Jen Thayer and asked the girl for her name again.

Ms. Bailey responded "Sam, Samantha Bailey."

Chairperson Lemont said she did an excellent job and thanked her.

11. DISCUSSION

a. By members of the public

Chairperson Lemont asked if any member of the public cared to speak and to please limit their discussion to three minutes.

Mr. Bob Gray, 14 Manson Road, said he is president of the Kittery Naval & Historical Society and the Naval Museum and wanted to introduce himself and reach out to the town. He said the lines of communication between the town and the Naval Museum have not always been as rigorous as they could be. He said their goal is to make themselves available to the public and spoke about their new display.

Mr. Gray said that most recently Don Hand has been putting a lot old photos and documents on the computer, so that people will be able to view them on the screen. He said he has developed a digital timeline which people can call up various categories and pick a time line associated with that category. He said that Mr. Hand gave him some Excel spreadsheets he had and there are over 600 photos that will be searchable at the Museum.

Mr. Gray said he would like people to visit the Museum.

Chairperson Lemont thanked Mr. Gray for introducing himself and asked what are the hours of operation?

Mr. Gray responded Weds. – Sat., 10:00 am until 4 pm; Sunday, 1 -4 :00 pm. He said it is a completely volunteer organization and if anyone would like to volunteer, they can always use more volunteers.

12. UNFINISHED BUSINESS

(060318-3) The Kittery Town Council hereby ordains Title 15 – Code of Ethics of the Kittery Town Code as presented.

COUNCILOR BEERS SAID SO MOVED AND COUNCILOR PELLETIER SECONDED.

213 Councilor Dennett said point of order – this has already been moved and seconded on Nov. 27, 2017
214 and postponed to Feb. 26th, 2018, which was postponed again to this date, therefore, no motion is
215 necessary in his opinion.
216
217 Councilor Pelletier said he would support that.
218
219 Chairperson Lemont thanked Councilor Dennett.
220
221 Councilor Dennett wanted to know why are they doing this since, there is a financial conflict of interest
222 section and a code of ethics section already in the Town Charter?
223
224 Chairperson Lemont asked if that is a rhetorical question or did he want someone to answer that?
225
226 Councilor Dennett replied he would like someone to answer that and asked if the sponsor would care to
227 respond?
228
229 Councilor Beers said he was sponsor by default because he was Chair at the time it was introduced.
230 He said the draft was an outgrowth where the Town Council made and established roles, agreements
231 and demeanor for consideration for its comportment. He said in the Spring 2016 he was given to
232 understand they should consider an operating manual, and he used some language from Seabrook and
233 the Code of Ethics from Bangor. He said he drafted a document to the interim Town Manager which
234 was shelved at the time and Town Manager Amaral appeared and they were handed over to her for
235 review, legal viewing and consideration of that nature.
236
237 Councilor Beers said common sense is not what it used to be and that is where it is at this moment.
238
239 Chairperson Lemont thanked Councilor Beers.
240
241 Councilor Brock said he was not involved in the early discussion preceding his coming on the Town
242 Council, but he wanted to focus his concern on Appendix A and Council Rules, decorum of the public.
243
244 Councilor Beers said point of order – that document is not under consideration. He said the document
245 under consideration is Title 15.
246
247 Councilor Brock wanted to know if Council Rules, in any capacity, are being adopted tonight?
248
249 Chairperson Lemont responded no.
250
251 Councilor Brock wanted to know why is it included with Title 15?
252
253 Town Manager Amaral responded we worked hand in hand with it and the Town Council has to have a
254 public hearing on it. She said this is included in the draft manual as well to be consistent.
255
256 Councilor Brock wanted to know if it is her intent to bring this forward at a later date to the Town
257 Council for possible adoption?
258
259 Town Manager Amaral responded yes, if the Town Council is interested.
260
261 Chairperson Lemont asked what page does it start on?
262
263 Town Manager Amaral said it starts on the last page of the ordinance.
264

265 Councilor Brock said then, from a procedural posture, it seems confusing. He said it has not yet been
266 adopted and asked if it is the intent to inform or provide context for Title 15. He said he has a serious
267 problem with Appendix A because it purports to regulate what the public can say or not say during
268 public comment.

269
270 Councilor Beers said point of order, this conversation relative to that document is not germane.

271
272 Councilor Brock said he just heard the Town Manager say that this is germane in that she wants to
273 keep it together so we are on the same page and he thinks that Councilor Beers is trying to have it both
274 ways. He said it relates to the main purpose of Title 15 and is appropriate to the discussion as it is
275 included tonight and he wants to be on the record that there is a problem limiting what the public can
276 say to the Town Council under certain circumstances.

277
278 Councilor Beers said that the comment regarding the proximity is not been intended to be physical and
279 this is a stand-alone document.

280
281 Councilor Brock said that is not what he heard the Town Manager say. He said he wants to make a
282 point on record that there is a real problem with the rules and procedures provided to us tonight as a
283 package with Title 15 and he thought that...

284
285 Councilor Beers abruptly interrupted Councilor Brock and stated he would like a ruling on his point of
286 order and that Councilor Brock had made his point four times....

287
288 Councilor Brock said he would like to have an opportunity to speak.

289
290 Councilor Beers again stated point of order.

291
292 Chairperson Lemont said excuse me, and stated they do not have a lot on the agenda. He said that
293 maybe what Councilor Brock is saying is not germane, but going forward, he does not have a problem
294 with him sharing his comments. He asked Councilor Brock to continue.

295
296 Councilor Brock said he would like to highlight the language which purports to regulate or limit what
297 members of the public can say to the Town Council. He said if they are boisterous or belligerent that
298 person could be removed from the meeting. He thought the language was broad and a violation of the
299 First Amendment. He said he is certain that concept was brought to the Town Council for consideration
300 partly in light of past history of this Town Council. He said it looks like they are providing "after-the-fact"
301 justification for the removal of a member of the public. He said the town was sued and they had to pay
302 the money to settle and he thought they were aggravating the situation.

303
304 Councilor Brock said he appreciated the opportunity to voice his concern and thanked Council.

305
306 Councilor Thomson asked the Town Manager, through the Chair, if the proposed Code of Ethics
307 applies to the Town Council and Board members, and if it does, has it been discussed at Board
308 meetings since it was proposed?

309
310 Town Manager Amaral replied no, it has not.

311
312 Councilor Thomson said they need for this to be discussed. He said it is unclear since they do have
313 language in the Town Charter. He asked if the best way to provide clarity to the Code of Ethics would
314 be to amend and revise the Town Charter language or go by the ordinance and remove the language in
315 the Town Charter, so there is no competing verbiage out there. He said maybe it needs a little more
316 work and the various boards should discuss the document. He said that the School Committee is
317 silent.

Councilor Thomson said that various Boards should discuss this document as they will need to be complying with it and wanted to know if this should apply to the School Committee to use as a model or do they have their own? He said the School Dept. should be contacted and the various Boards need to weigh in on this as well as doing an analysis on "charter" versus "ordinance".

COUNCILOR THOMSON MOVED THAT ACTION ON THIS ITEM BE POSTPONED UNTIL THE SECOND REGULAR MEETING IN OCTOBER, SECONDED BY COUNCILOR DENNETT.

Councilor Beers asked if the Council should consider postponing this until after the November election?

Councilor Thomson said that is okay with him and said he would change his motion.

COUNCILOR THOMSON AMENDED HIS MOTION TO STATE THAT ACTION ON THIS ITEM BE POSTPONED UNTIL THE SECOND REGULAR MEETING IN NOVEMBER.

Councilor Beers said that will suit him to a "T."

Councilor Dennett asked him how does he know?

Councilor Beers replied that he will be either not elected or dead.

Councilor Dennett said but if he does not have a successor then he would have to stay.

Councilor Beers stated that he doesn't have to show up.

Vice-Chairperson Denault moved the question.

Chairperson Lemont asked Councilor Dennett agreed to the amendment.

COUNCILOR DENNETT SECONDED THE AMENDED MOTION.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

Chairperson Lemont asked Councilor Dennett and Councilor Thomson to share their concerns with the Town Manager.

Councilor Dennett said that he already shared his comments with the Town Manager several months ago.

Chairperson Lemont asked him if he would do so again.

13. NEW BUSINESS

a. Donations/gifts received for Council disposition.

b. Kittery Town Council moves to approve the disbursement warrants.

Chairperson Lemont asked Councilor Beers if the Town and Sewer payables are in due form and he replied yes.

Chairperson Lemont asked Councilor Pelletier if the School payable is in due form and he responded it is.

Chairperson Lemont read the amounts: Town = \$191,580.33 and \$68.88; Sewer = \$4,479.15 and School = \$89,439.50, for a total of \$285,567.86.

COUNCILOR THOMSON MOVED THAT THE DISBURSEMENT WARRANTS BE PAID AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, AYE. SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

14. COUNCILOR COMMENTS - none

15. COMMITTEE AND OTHER REPORTS – none

16. EXECUTIVE SESSION

Councilor Beers said they will need to include the Town Manager along with Council and asked if they could take up that one first?

Chairperson Lemont replied yes.

a. The Kittery Town Council moves to go into Executive Session in accordance with M.R.S. 36 §841 (2), E to consider an application for a hardship abatement due to poverty or infirmity.

COUNCILOR BEERS MOVED TO ENTER EXECUTIVE SESSION AT 6:59 P.M. IN ACCORDANCE WITH M.R.S. 36, §841 (2), E TO CONSIDER AN APPLICATION FOR A HARDSHIP ABATEMENT DUE TO POVERTY OR INFIRMITY. COUNCILOR THOMSON SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

COUNCILOR THOMSON MOVED TO EXIT EXECUTIVE SESSION AT 7:12 P.M., SECONDED BY VICE-CHAIRPERSON DENAULT. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

b. (060318-3) The Kittery Town Council moves to go into executive session in accordance with 1 M.R.S. §405 (6) (A) to discuss a personnel matter.

COUNCILOR THOMSON MOVED TO ENTER EXECUTIVE SESSION AT 7:13 P.M., IN ACCORDANCE WITH 1 M.R.S. §405 (6) (A) TO DISCUSS A PERSONNEL MATTER, SECONDED BY VICE-CHAIRPERSON DENAULT. ROLL CALL VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

COUNCILOR THOMSON MOVED TO EXIT EXECUTIVE SESSION AT ____ P.M., SECONDED BY VICE-CHAIRPERSON DENAULT. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

17. ADJOURNMENT:

COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT ____ P.M., SECONDED BY PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, AYE, 7-0, NONE OPPOSED, MOTION CARRIES.

Respectfully submitted

Barbara Boggiano
Recording Secretary

**Kittery Town Council
July 2, 2018
Special Meeting – 5:00 p.m.
Council Chambers**

1. Call to order: Chairperson Lemont called the meeting to order at 5:00 p.m.

2. Introductory: Chairperson Lemont read the introductory.

3. Pledge of Allegiance: Chairperson Lemont led those present in the Pledge of Allegiance.

4. Roll call: Answering the roll were Councilors Frank Dennett, Jeffrey Thomson, Matthew Brock, Gary Beers, and Chairperson Kenneth Lemont.

5. Discussion:

- a. Discussion by members of the public (only pertaining to item #6 below and three minutes per person)

Chairperson Lemont opened the public discussion segment and asked if anyone wishing to speak tonight, state your name, residence and respect the three-minute time limit.

Seeing none, Chairperson Lemont closed the public discussion

6. NEW BUSINESS:

- a. (070118-1) The Kittery Town Council moves to approve a request from The View at Pepperrell Cove LLC for an Extension of License on Premise for The View, 88 Pepperrell Road.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and found that the establishment is in compliance with the Town Code.

COUNCILOR THOMSON MOVED TO APPROVE THE REQUEST, SECONDED BY COUNCILOR BEERS.

Chairperson Lemont asked if there was any discussion?

Councilor Dennett requested that the motion be reworded slightly as there are three licenses the town has control, but only two have been asked to be extended, the Victualers' License and the Liquor License. He said there has been no request for the Special Amusement Permit. He asked if the maker of the motion would be specific?

Councilor Thomson said he would be happy to re-word his motion and Councilor Beers concurred.

COUNCILOR THOMSON MOVED TO APPROVE THE REQUEST FROM THE VIEW AT PEPPERRELL COVE LLC FOR AN EXTENSION OF LICENSE ON PREMISE FOR THE VICTUALERS AND LIQUOR LICENSES ON THE PREMISES OF THE VIEW, 88 PEPPERRELL ROAD, SECONDED BY COUNCILOR BEERS.

Councilor Dennett said for the record, there has been no approval of any extension of the Special Amusement Permit.

Chairperson Lemont asked if there was any further discussion and hearing none, asked for a roll call.

ROLL CALL VOTE WAS TAKEN, 5-0, FIVE IN FAVOR, NONE OPPOSED, MOTION CARRIES.

The owners of The View thanked the Town Council. Chairperson Lemont wished them well.

7. ADJOURNMENT:

COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT 5:04 P.M., SECONDED BY COUNCILOR BEERS. ALL WERE IN FAVOR BY A VOICE VOTE, AYE. MEETING ADJOURNED.

Respectfully submitted,

Barbara Boggiano
Recording Secretary

**Kittery Town Council
July 23, 2018
Regular Meeting – 6:00 p.m.
Council Chambers**

1. Call to order: Chairperson Lemont called the meeting to order at 6:00 p.m.

2. Introductory: Chairperson Lemont read the introductory.

3. Pledge of Allegiance: Chairperson Lemont led those present in the Pledge of Allegiance.

4. Roll call: Answering the roll were Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Matthew Brock, Gary Beers, Vice-Chairperson Charles Denault and Chairperson Kenneth Lemont.

5. Agenda Amendment and Adoption: Chairperson Lemont said he had one amendment, 13 (g), under "New Business" to change the wording to "schedule a public hearing" versus taking any action on this item.

Councilor Beers said he would like to add an item under #9, "The Kittery Town Council moves to discuss a non-binding referendum question and to place on the November 6, 2018 ballot for the voters to consider allowing the licensure of retail marijuana establishments in the Town of Kittery."

Chairperson Lemont asked if there were any other adjustments to the agenda? Hearing none, he cast one vote for the acceptance of the agenda as amended.

6. Town Manager's Report: Town Manager Amaral said she has provided a copy of the MTA Four-Year Project Plan to Council, which highlights activities which will be happening in the Kittery area.

Town Manager Amaral said she has requested that MDOT and MTA consider installing Intelligent Transportation Systems signage prior to doing any construction work on the High-Level bridge. She said these are the signs that state "14 minutes to..." which you have seen.

Town Manager Amaral said part of the MTA's Four-Year Project plan is the replacement of the guide signs on the highway, to be replaced with signs that will just state the Route number and nothing specific. She said she spoke with MTA and asked them to please hold off on replacing those signs until the end of their useful life. She said that Councilors have pointed out that they have been recently replaced. She said that she is looking for Council consensus and if agreed, she will submit a formal town comment to the Four-Year Project plan.

Town Manager Amaral reported some procurement updates for FY19: the town has put out an RFP to convert the street lights to LED and the Energy Advisory Committee has been working with the town on that. She said they have out two requests for bids for the Government Street Wharf replacement project and for consulting services for the Title 16 codification. She said they are in the process of putting together an RFP for the surplus wind turbine and Design Services for Emery Field, both which will require a public hearing.

Town Manager Amaral said they are having a job classification and compensation study done for administrative and non-union personnel. She said they had one done about 10 years ago and they should have one done every 10 years.

Town Manager Amaral reported that all three library committees are up and running and active.

Town Manager Amaral said that the Taylor Building Committee and the Rice Public Library Building Committee are on the website. She said the Rice Building meetings are being recorded on video and are in the archive if anyone would like to view them. She said the Transition Committee is working on developing a plan for the transition of the library to a town department and have submitted questions to the Library Board for their response. She said they are working on the details involving the personnel transition and what that would be. She said they are planning for the transition to happen by July 1st.

Town Manager Amaral announced she has hired a new Town Planner, Jamie Stefan, who has joined us today, and is taking over for Kathy Connor. She said he comes to us with significant experience in planning and they are excited to have him board. She said that he is in the audience tonight.

Town Manager Amaral said that nomination papers are available from the Town Clerk for the 2 School Committee seats and 3 Town Council seats.

Town Manager Amaral stated some upcoming dates: KCC Luncheon July 26th at 11:30 a.m.; National Night Out is Aug. 7th at 6 p.m. which is a great event we held last year and the Library's end of summer movie night is August 24th at 7:30 pm at Fort Foster.

Chairperson Lemont asked if any other Councilors had questions of the Town Manager.

Councilor Dennett said that regarding the preview of upcoming events, the Town Manager referred to Title 8 and asked if she could briefly tell them what is on the burner?

Town Manager Amaral replied the Town Clerk has been working with the Director of Public Works updating the rules for the Resource Recovery Facility and how we do permits and stickers for that.

Vice-Chairperson Denault asked, through the Chair, if it is possible for the Town Manager to expand on an online article he saw in the Portsmouth Herald regarding information on a new interim Chief for people who do not read the Portsmouth Herald.

Chairperson Lemont asked Town Manager Amaral if it was possible for her to comment on this?

Town Manager Amaral said she did send information to the Portsmouth Herald today having identified and secured Don O'Halloran to serve as Interim Chief and he will be appointed on July 30th. She said the plan for his role is to assist with maintaining the administrative functions of the Dept. and assisting her with the process of hiring a permanent Police Chief. She said she will also have a Sergeant promotion and he will be involved with that. She said Chief O'Halloran comes to us with decades of experience, in Old Town, and in his retirement has served as Interim Police Chief in Ellsworth recently.

Town Manager Amaral said her plan is the same week advertise for a chief position and not use a consulting firm for this process. She thought she could do that internally.

Chairperson Lemont thanked the Town Manager and asked if there were any other questions?

Councilor Thomson said in speaking about the updates for the design building services and the replacement of the Government Street wharf, he again would like to reiterate the question he has on the wording of the ballot. He said the wording should indicate that with any rehab or redo of the wharf that space would include some non-commercial square footage for the enjoyment of the public.

Councilor Brock said he would like to follow-up on Councilor Thomson's comment and thought that it would extend to the access area and walkway to provide some public amenities, not to interfere with

commercial purposes, but to the extent possible recognize the public has some access and enjoyment of the pier and he hopes this proposal will include that.

Town Manager Amaral said what they have to realize is that there is not a whole lot of space down there and the wharf and right-of-way for access is the extent of what we have for available space. She said it is private on either side. She said that is one of the challenges, but they will look at the design to make sure that the public can go down and enjoy the water safely.

Town Manager Amaral said they could not add an additional launch with it and they can't expand it.

Vice-Chairperson Denault asked that it will not be 70 ft. high, right?

Town Manager Amaral smiled and replied with a smile, "no, sir, it will not."

Vice-Chairperson Denault thanked the Town Manager.

Councilor Beers said just to prove that he is paying attention he would like to support the Town Manager's request for a consensus to send a message to MTA and MDOT regarding changing the signage.

Councilor Pelletier and Councilor Brock replied they did too.

7. Acceptance of Previous Minutes – June 11, 2018

A few corrections were noted. Chairperson Lemont said he would cast one vote to place on file the minutes of June 11th, 2018 as amended.

8. Chairperson Lemont said they do not have any interviews tonight for the Board of Appeals or Planning Board.

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

The Kittery Town Council moves to discuss and place a non-binding referendum question on the November 6, 2018 ballot for the voters to consider allowing the licensure of retail marijuana establishments in the Town of Kittery.

Chairperson Lemont read the item and asked for discussion.

Councilor Thomson said he was contacted at the end of last week by someone who asked if this would be discussed tonight and he indicated that he had not seen the agenda. He said he did receive it and informed him that there was no mention of this issue on the agenda and alluded to a report of Councilor Beers that was not included in the packet.

Councilor Thomson said his concern is that he told somebody it was not being discussed and now it is being discussed.

Councilor Brock said he had a similar experience in that he had the agenda but did not see it on there. He said he is concerned that Council would go forward tonight to talk about it and he would like to have more time to review this item, if he knew it would be on the agenda. He said also, this would allow the public the opportunity to be able to comment on it. He asked if Council did defer this to the August meeting, would that provide enough time for it to be placed on the November ballot?

156 Town Manager Amaral replied yes.

157

158 Vice-Chairperson Denault said he could go either way and this information was in Council's packets.
159 He said it was his understanding that it was going to be in the packet.

160

161 Councilor Beers said he did a report which precluded the June 18th meeting and provided time at the
162 June meeting and information on this item which included the required agenda date and time with this
163 language for discussion. He said his intent was based on 2016 State ballot where 61% of the voters
164 were in favor and 39% were opposed. He said the State legislature has gone through several vetoes
165 and revisions and following the Medical Marijuana Act, which now allows medical marijuana operations,
166 and in order to resolve this issue, and get a sense of Council's interest, he requested the Town
167 Manager bring this forth as a non-binding question for consideration at the August meeting.

168

169 Councilor Beers said in respect to the original vote he thought they should ask the voters their wishes –
170 does the Town of Kittery want to prohibit issuing licenses for medical marijuana facilities, or limit the
171 number of establishments and to determine whether the Town Council would be willing to entertain a
172 non-binding referendum in August.

173

174 Councilor Brock said as he understands it, do they want to discuss this at the August meeting? He said
175 if so, he does not object to that because he knows people in the community who would be interested in
176 the discussion.

177

178 Chairperson Lemont apologized to Councilor Beers and said he did receive the information in his
179 packet. He said that on page 2, line 68, he understands Councilor Beers' position and where he is
180 coming from. He said it is his fault and the Council will discuss this item at the August 27th meeting and
181 it will be an agenda item.

182

183 Councilor Pelletier said that Council should briefly discuss this item.

184

185 Councilor Beers said the consensus is to schedule this appropriate item for a public hearing and not
186 postpone it.

187

188 Town Manager Amaral said it does not require a public hearing.

189

190 Councilor Beers said the ballot will be presented and the Town Council will approve the articles at their
191 August meeting.

192

193 Town Manager Amaral asked that any comments Council may have on what Councilor Beers has
194 drafted as an ordinance be submitted to her before the August meeting.

195

196 Councilor Beers said on a final note, the Chair has apologized but it did not concern him. He said his
197 recommendation was only made in part to place it on the ballot but he never intended to tell the Town
198 Council what they should do or not do and he apologized for the confusion.

199

200 Chairperson Lemont said this will appear on the August agenda.

201

202 10. PUBLIC HEARINGS – Chairperson Lemont said there are none tonight.

203

204 11. DISCUSSION

205 a. Discussion by members of the public

206

207 Chairperson Lemont asked if anyone wished to speak to please respect the three-minute timeframe.

Jerry Byrnes said he is a proponent of marijuana and thanked Councilor Beers for submitting his report to the Town Council. He wanted to know if it was appropriate to comment on this item since it is not listed on the agenda.

Chairperson Lemont replied of course he could.

Mr. Byrnes said he totally supports the referendum question because it will get the will of the people known. He said he appreciates the Council putting together a program for the betterment of the town.

Mr. Byrnes said there is a new bill passed by Legislature did not move any part of the cost-sharing involved with the State proposal added to the new sales tax and he felt that all that money is there. He said he heard that a certain organization wanted to readdress this issue but that is dead in the water.

Mr. Byrnes said the this would be an indirect economic benefit to the town and the entrepreneurial spirit in the industry would increase the vibrancy of the other businesses in town. He said any cost incurred could be covered by the local licensing fees if the Town Council does approve the question. He said he would like to see more detail so people can make a more logical decision and he would like to see something like: Does Kittery want to allow the licensure of retail marijuana establishments, with the following restrictions: (1) All activities would be limited to high intensity zones, C1, C2 or C3, the Industrial Park, (2) there would be a limit on the number of retail stores and (3) no social club would be allowed in town.

Mr. Byrnes said over the next month, he would like to meet with any of the Councilors who has questions and asked that the Council make their decisions based on the will of the people and not on what is flying around out there regarding the marijuana program.

c. Chairperson's response to public comments

Chairperson Lemont thanked Mr. Byrnes for his comments and wanted to know if he would like to share his language with Council at some point.

Mr. Byrnes replied absolutely.

Chairperson Lemont said that Mr. Byrnes mentioned cost-sharing but it is actually revenue-sharing. He said that Mr. Byrnes questioned the cost of the licenses. He said they have to be very precise on how much they can charge and it would not be a revenue stream for the town.

Chairperson Lemont thanked Mr. Byrnes for speaking with Council.

12. UNFINISHED BUSINESS – Chairperson Lemont said they have none

13. NEW BUSINESS

a. Donations/gifts received for Council disposition.

(070218-1) The Kittery Town Council moves to accept donations from the Active Retirement Association in the amount of \$200 to be deposited into the KCC Donations account ending in 2063.

COUNCILOR THOMSON MOVED TO ACCEPT THE DONATION OF \$200 TO BE DEPOSITED IN THE KCC DONATIONS ACCOUNT ENDING IN 2063 AND THE APPROPRIATE THANK YOU TO BE SENT TO THE ACTIVE RETIREMENT ASSOCIATION. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION.

ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, MOTION CARRIES.

- b. The Kittery Town Council moves to approve the disbursement warrants.

Chairperson Lemont asked Councilor Beers if the Town and Sewer payables were in due form and Councilor Beers responded yes, they were.

Chairperson Lemont asked Councilor Pelletier if the School payables were in due form and he replied they yes, they were.

Chairperson Lemont read the figures for the warrants: Town = \$59,041.81 and \$114,288.07; Sewer = \$2,215.86 and \$3,103.06 and School = \$131,033.48; \$70,245.24 and \$325,169.91 for a total of \$705,037.43.

COUNCILOR THOMSON MOVED THAT THE DISBURSEMENT WARRANTS BE APPROVED AND PAID AS PRESENTED, SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, AYE, 7-0, NONE OPPOSED, MOTION CARRIES.

- c.. (070218-2) The Kittery Town Council moves to schedule a public hearing to amend Title 2 – Recreation Department for August 27, 2018.

COUNCILOR THOMSON MOVED PUBLIC HEARING FOR RECOMMENDED DATE, SECONDED BY COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, MOTION CARRIES.

- d. (070218-3) The Kittery Town Council moves to schedule a public hearing to amend Title 16 to add a new mixed-use neighborhood zone on August 27, 2018.

COUNCILOR THOMSON MOVED THAT ACTION ON THIS MATTER BE POSTPONED UNTIL TOWN COUNCIL GETS FURTHER DIRECTION FROM THE PLANNING BOARD WITH POSSIBLE PUBLIC HEARING DATE SCHEDULED FOR THEIR FIRST MEETING IN SEPTEMBER, SECONDED BY COUNCILOR PELLETIER.

Councilor Dennett said we cannot postpone it until there is a main motion. He said maybe the speaker, the maker of the motion would like to hold this in abeyance.

Chairperson Lemont said that Councilor Thomson and Councilor Pelletier heard that.

ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, NONE OPPOSED, MOTION CARRIES.

- e. (070218-4) The Kittery Town Council moves to sign a Release Deed to Stephen Meade, for property located at 34 Stevenson Road, Kittery, Maine identified as Assessor's Tax Map 29, Lot 27.

COUNCILOR THOMSON MOVED THAT THE RELEASE DEED BE SIGNED FOR SAID PROPERTY, SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN WITH SEVEN VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.

- f. (070218-5) The Kittery Town Council moves to reconsider the proposed Title 15 – Code of Ethics of the Kittery Town Code.

Councilor Dennett said he wanted to explain his right under Roberts' Rules that it is on the agenda at his request.

COUNCILOR DENNETT MOVED THAT THE TOWN COUNCIL RECONSIDER PROPOSED TITLE 15, CODE OF ETHICS OF THE KITTERY TOWN CODE, SECONDED BY COUNCILOR BROCK.

Councilor Dennett asked the Chair to proceed, and depending on the will of Town Council, he will make a motion.

ROLL CALL VOTE WAS TAKEN, 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

COUNCILOR DENNETT MOVED THAT THIS ITEM BE POSTPONED INDEFINITELY, SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN, 7-0, SEVEN IN FAVOR, NONE OPPOSED MOTION CARRIES.

g. (070218-6) The Kittery Town Council moves to schedule a public hearing on the multi-year agreement for a Public Safety Answering Point service with the Town of York, Maine.

Chairperson Lemont asked the Town Manager for some background on this item since the agenda was amended to schedule a public hearing.

Town Manager Amaral explained that the Town of Kittery has been using the Town of York's Public Safety Answering Point (PSAP) service for a number of years now and we are required to have one. She said if someone dials "9-1-1" it goes to York. She said they are looking for a revised Memorandum of Understanding (MOU) now that the State is going to a new EMD software program. Town Manager Amaral said there is a lot of work that goes with it, and the cost would increase with a multi-year agreement. She said they are looking to change the Town Charter. She said they are looking for an agreement based on the fact that the last time it was approved by the Town Council was over ten years' ago, the MOU would have had to come back before you now that it is changing.

Chairperson Lemont read the amended version and said the public hearing would be August 27th.

COUNCILOR THOMSON MOVED THE TOWN COUNCIL SCHEDULE SAID DATE TO HOLD A PUBLIC HEARING TO RECEIVE COMMENTS ON THE MULTI-YEAR AGREEMENT WITH THE TOWN OF YORK FOR PSAP SERVICES, SECONDED BY COUNCILOR PELLETIER.

Vice-Chairperson Denault, through the Chair, asked the Town Manager if York sends E911 calls to Kittery and we answer it or does it go to Kittery first or the Shipyard?

Town Manager Amaral replied she did not know.

Vice-Chairperson Denault said if we assume the risk of the call going here first, then the Shipyard should assume some of the cost.

Councilor Thomson asked before they vote on the hearing date, could they get a little more information. He said a 10% + increase seems high and he would like to know what these increases are prior to the hearing.

Town Manager Amaral replied she believed the increases are as they go.

Vice-Chairperson Denault said there are software costs involved and wanted to know if the contract through York covered that or does Kittery incur that to receive those calls, if we are paying 10%?

Town Manager Amaral responded that Kittery has had to pay for their own software and have to use them to be combined with EMT and EMD protocols and we provide that to Eliot.

Vice-Chairperson Denault asked if Eliot was going to absorb some of the increase for dispatch services?

Town Manager Amaral replied they have agreed to pay their fair share.

ALL WERE IN FAVOR BY A VOICE VOTE, AYE, 7-0, NONE OPPOSED, MOTION CARRIES.

h. (070218-7) The Kittery Town Council moves to sign a Release Deed to 38 Littleworth Road, LLC for property located at 28 Adams Road, Kittery, Maine identified as Assessor's Tax Map 60, Lot 32.

COUNCILOR THOMSON MOVED THAT THE KITTERY TOWN COUNCIL SIGN THE RELEASE DEED AS PRESENTED, SECONDED BY COUNCILOR PELLETIER.

Chairperson Lemont asked for any discussion.

Councilor Dennett asked the Town Manager if she has any information on this and they discussed this. He said the agenda says "to release the actual municipal deed" but it should be to an individual D/B/A. He said no one can do business as an LLC and he asked the Town Manager to get more information.

Town Manager Amaral replied she was not able to get this.

Councilor Dennett said then he will have to vote against it. He said no individual can do business as a corporation. He said it is a legal matter and he will leave it to Council's resident attorney.

Vice-Chairperson Denault said this is being paid off.

ROLL CALL VOTE WAS TAKEN WITH SIX VOTING IN FAVOR AND ONE OPPOSITION 6-1 (COUNCILOR DENNETT). MOTION CARRIES.

Councilor Dennett said he hoped this doesn't come back to us until sometime in the future.

i. (070218-8) The Kittery Town Council moves to schedule a public hearing on August 27th 2018 to approve the ballot language for the Comprehensive Plan Referendum to be placed on the ballot for the November 6th 2018 municipal election.

COUNCILOR THOMSON MOVED THE TOWN COUNCIL SCHEDULE AUGUST 27TH TO HOLD A PUBLIC HEARING TO APPROVE THE BALLOT LANGUAGE FOR THE COMPREHENSIVE PLAN REFERENDUM, SECONDED BY VICE-CHAIRPERSON DENAULT.

Councilor Brock, through the Chair, asked the Town Manager if the language for the ballot has been reviewed by the Town Attorney?

Town Manager Amaral said this was put through Duncan McEachern who did research for this.

Councilor Brock said he just wanted assurance that he did enough research.

ALL WERE IN FAVOR BY A VOICE VOTE, AYE, 7-0, NONE OPPOSED, MOTION CARRIES.

j. (070218-9) The Kittery Town Council moves to appoint Finance Director, Patricia Moore, as Acting Town Manager for the periods of August 20th through August 24, 2018 and September 11th through September 14, 2018.

COUNCILOR THOMSON MOVED THAT THE TOWN COUNCIL APPOINT PATRICIA MOORE AS ACTING TOWN MANAGER FOR THE DATES AS RECOMMENDED, SECONDED BY VICE-CHAIRPERSON DENAULT.

Councilor Dennett said he noticed the appointee in waiting is not here, so he cannot ask her if she agrees with that, so he will ask the Town Manager does she know what she is getting herself into?

Town Manager Amaral replied yes.

Councilor Dennett wanted to know if it is of her own free will and accord.

Town Manager Amaral replied as much as her free will can be there.

Councilor Dennett said he knows there is not too much in this building sometimes.

ALL WERE IN FAVOR BY A VOICE VOTE, AYE, 7-0, NONE OPPOSED, MOTION CARRIES.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Beers said that the Town Council and School Committee nomination period is open, as noted earlier, and he will state clearly that he will not be a candidate for re-election this year.

Councilor Beers said he would like to note the passing of Judy Durgin, mother of Jane, Special Ed. Director and Jay, School Resource Officer, on July 16th. He said her obituary reads "bubbling up from the stories is a picture of a woman who built her family and home and grew that family beyond her own children, and then, through the incredible pull of her larger-than-life personality made sure this extended family bonded tightly in a manner intended to last long after she left. He said "Yes, Judy, it will, thank you."

Vice-Chairperson Denault said that he is working on a change to the ordinance regarding adult entertainment and would like some help from Council. He said he is also working on changing the ordinance regarding signs being posted on town land and he has completed a draft reducing the speed on State Road after reading a petition from all the residents of the surrounding area.

Vice-Chairperson Denault said he has been contacted by residents regarding a rumor about a gazebo at John Paul Jones Park which should be discussed. He said he is opposed to that because it is too congested and the park does not provide parking. He thought the Kittery Community Center would be a great place for a gazebo and this way they would not have to rent a bandstand every time they have a concert.

Vice-Chairperson Denault thanked Councilor Beers for mentioning the passing of Judy Durgin, wife of Dan for 58 years. He also reported that Harvey Remick, Danny Davidson and Henry Guertin-Ouelette have passed away recently. He said that Council's thoughts and prayers are with the families and loved ones.

Councilor Thomson said that many of us witnessed the return of summer "fun" Sunday afternoon to the roads of Kittery. He said he is at a loss to understand why people are getting off I-95 and sitting in front of his driveway. He said he asked them why are they getting off 95 and some of them answered he was #1.

Councilor Thomson said the real issue is 108 miles up in Augusta. He said they created this by a lack of infrastructure. He felt there should be more State police in Kittery to help address this problem.

Councilor Thomson said he would like to get DOT engineers down to speak with them because they thought it was a great idea to build a one lane bridge over the Piscataqua River with no thought at all about increasing the lanes on 95.

Councilor Thomson said he received an e-mail from someone who lived further down from him and he walked down to see her. He said she was pretty impressed that a Councilor came to her door but he told her he lives two houses down. He said she told him it's hard to get to work Friday because people are turning around in the middle of Cook Street and going on people's lawns. He said they are at it again and it's not pretty.

Chairperson Lemont said that was one of the issues he was going to speak to tonight also. He said not a week goes by without him hearing from someone about the traffic congestion on our local roads and what is taking place. He said Councilor Thomson listed a couple of concerns and maybe they can get the State involved. He said they did have a sub-committee meeting with DOT about reducing the speed limits and that was somewhat helpful.

Chairperson Lemont said there is one other issue, he was approached by an individual who noted that the flagpole at John Paul Jones Park is in need of paint. He said that is the first thing people see when they come across the Memorial Bridge and hoped that something could be done about that.

15. COMMITTEE AND OTHER REPORTS – Chairperson Lemont said they have none tonight.

16. EXECUTIVE SESSION

a. (070218-10) The Kittery Town Council moves to go into Executive Session in accordance with M.R.S. 36 §841 (2) E, to consider an application for a hardship abatement due to poverty or infirmity.

Chairperson Lemont said they will be taking action before adjournment once they exit Executive Session.

Councilor Thomson asked if they had to add anyone else as the Town Manager will be present with them as well.

COUNCILOR THOMSON MOVED THAT THE KITTERY TOWN COUNCIL ENTER INTO EXECUTIVE SESSION AT 6:50 P.M., IN ACCORDANCE WITH M.R.S. 36 §841 (2) E, TO CONSIDER AN APPLICATION FOR A HARDSHIP ABATEMENT DUE TO POVERTY OR INFIRMITY, SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

COUNCILOR THOMSON MOVED THE KITTERY TOWN COUNCIL EXIT EXECUTIVE SESSION AT 7:15 P.M., SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, NONE OPPOSED, MOTION CARRIES.

COUNCILOR THOMSON MOVED THAT THE APPLICATION FOR A HARDSHIP ABATEMENT DUE TO POVERTY OR INFIRMITY AS HEARD IN EXECUTIVE SESSION BY THE TOWN COUNCIL BE APPROVED, SECONDED BY COUNCILOR BROCK. ROLL CALL VOTE WAS TAKEN, 2-5, TWO IN FAVOR, FIVE OPPOSED (COUNCILOR THOMSON, COUNCILOR DENNETT, COUNCILOR BEERS, VICE-CHAIRPERSON DENAULT AND CHAIRPERSON LEMONT). MOTION FAILS.

17. ADJOURNMENT

518 **COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT 7:17 P.M., SECONDED BY**
519 **COUNCILOR PELLETIER. ALL WERE IN FAVOR BY A VOICE VOTE, AYE, NONE OPPOSED,**
520 **MOTION CARRIES.**

521
522 Respectfully submitted,

523
524 Barbara Boggiano
525 Recording Secretary

526
527
528
529
530
531
532
533



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Non-binding Referendum – Adult Use Retail Marijuana
Councilor Sponsor: Councilor Gary Beers

EXECUTIVE SUMMARY

The Chairperson requested I obtain the proposed language for a non-binding referendum on adult-use retail marijuana from the citizen speaker from the July 23, 2018 meeting. I met with the citizen following the meeting and developed with him a proposed question.

The attached provides options for the Council to consider for the non-binding referendum question. Specifically:

Question 1 – represents the proposed language developed with the citizen. This question pertains to the public facing operations of adult-use retail marijuana, meaning they occur in structures and at locations the general public will access.

This question has two conditional factors, “limited number of licenses” and “in commercial zones”. The Council may choose to accept this question as is, or remove one or both of the conditional factors.

Other Questions to Consider – represents questions that pertain to other parts of the adult-use retail marijuana operations. These tend to be non-public facing operations, meaning they occur in structures and at locations the general public would not likely access.

These proposed questions do not include conditional factors, but can be added according to the Council’s interest.

Background – the background is applicable for all of the questions and is not dependent on the inclusion or exclusion of conditional factors.

PROPOSED SOLUTION/RECOMMENDATION

N/A

NON-BINDING REFERENDUM QUESTION OPTIONS

Council Meeting: August 27, 2018

PRIMARY QUESTION

1. Should the Town of Kittery allow a limited number of adult-use marijuana retail stores in the town's commercial zones?
→ Yes
→ No
-

OTHER QUESTIONS TO CONSIDER

2. Should the Town of Kittery allow marijuana processing, production, and manufacturing facilities?
→ Yes
→ No
3. Should the Town of Kittery allow marijuana cultivation facilities?
→ Yes
→ No
4. Should the Town of Kittery allow marijuana social clubs (consumption on site)?
→ Yes
→ No

BACKGROUND

- 1 Maine legalized marijuana in 2016. Since then the State Legislature has adopted revisions to the
- 2 legislation that impacts land use in the Town of Kittery. The legislation requires approval of the
- 3 municipality to allow adult-use retail marijuana operations in their jurisdiction. As with other retail
- 4 operations, all sales tax generated by adult-use retail operations go directly to the state and will not
- 5 be distributed to the host municipalities. The new excise tax on adult-use retail marijuana operations
- 6 will also go directly to the state and will not be distributed to the host municipalities. Host
- 7 municipalities may charge a license fee for adult-use retail marijuana operations.
- 8
- 9 Citizen input is sought to determine if Kittery should allow adult-use retail marijuana operations in
- 10 the town. If allowed, town officials will need to develop local regulations and determine which zones
- 11 will have permitted adult-use retail marijuana operations. The town cannot enact ordinances or
- regulations that prohibit or limit personal use of recreational marijuana in Kittery.



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Red Rover, LLC
(please print)

Applicant Address: 76 Wallingford Square, Kittery ME 03904
(please print)

Applicant's mailing address if different from above: 7 Meadow Lane, Exeter NH 03833

Date of Birth (Sole Proprietor): N/A Applicant's Telephone Number: 603.767.8849

Business Name: Red Rover
(please print)

Business Address: 76 Wallingford Square
(please print)

Business Telephone Number: 603.767.8849

Signature of Applicant: [Signature] DATE: July 22, 2018

Applicant's Name: Eric A Amsden
(please print)

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, Maine 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

**APPLICATION FOR VICTUALERS, INNKEEPERS,
AND LODGING HOUSE OPERATORS LICENSE**

Applicant (Sole Proprietor, Corporation, Limited Liability Co.): Water Street Inn, LLC
(please print)

Applicant Address: 6 Water Street, Kittery
(please print)

Applicant's mailing address if different from above: 1 Middle St., Suite 1, Portsmouth, NH 03801

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 603-498-6476

Business Name: Water Street Inn, LLC
(please print)

Business Address: 6 Water Street, Kittery
(please print)

Business Telephone Number: 207-994-9735

Signature of Applicant: _____ DATE: 07/18/2018

Applicant's Name: James McSharry
(please print)

LICENSE FEE: \$ 50.00

FIRST TIME APPLICATIONS: \$50.00
RENEWAL OF LICENSE: \$25.00

PLEASE SUBMIT THIS FORM WITH THE APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Title 2 Revision – Recreation Department Name Change
Councilor Sponsor: Chairperson Kenneth Lemont

Since the Kittery Community Center (KCC) opened in May 2012, there has been a bit of an “identity crisis” for the Recreation Department. We are now at an advantageous point to transition the name of the department to the “Kittery Community Center”. This transition requires amendment to Title 2.

BACKGROUND

The KCC is the building and grounds and the Recreation Department is the managing occupant. All staff have been hired as Recreation Department employees. KCC defines the building and grounds. The phones are answered “Kittery Community Center”; our sports leagues are Kittery Recreation Department. Our emails are @kitteryrecreation.com while our web site is Kittery Community Center. All social media is Kittery Community Center, all staff is employed by the Kittery Recreation Department, and our logo is the Kittery Community Center.

The KCC has recently begun a rebranding process that includes a new logo, website, program guide, and social media campaign to better reflect our vibrant facility and services. This rebranding process, in conjunction with a name change, will tie everything together as a cohesive brand.

STATEMENT OF NEED

The proposed solution is to change the department name to the Kittery Community Center to be more cohesive, less confusing and to streamline communications. The name change will make it easier for users to understand that the Community Center’s staff and the Recreation Department staff are one in the same.

To effect the renaming of the department, reference to the Recreation Department needs to be amended in Title 2. This process will also be used to incorporate existing positions not reflected in Title 2, and to bring Title 2 in line with the applicable Collective Bargaining Agreements. Specifically, this is seen in with the inclusion of the Recreation Clerk, and the merging of the Sports/SAFE Coordinator role. In both cases these positions have existed and are already filled by staff. The proposed changes in Title 2 will not create new roles or add to the staffing of the KCC.

The costs associated with this change will be minimal and will only include banners and staff time for website and social media changes. Everything except the production of banners can be done in-house. This was anticipated in the FY2019 budget and is estimated to cost no more than \$500. There are no expensive signs to replace as none at the KCC have the Recreation Department name on them.

PROPOSED SOLUTION/RECOMMENDATION

Approve Title 2 Revisions as presented.

ATTACHMENTS

- Proposed Title 2 Amendments
- Proposed Enactment
- New Kittery Community Center Logo

KITTERY TOWN CODE TITLE 2
RECREATION DEPARTMENT NAME CHANGE AND UPDATE

AN ORDINANCE relating to the municipality's authority for Town governance to give due and proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A, Municipalities and Counties.

WHEREAS, the Kittery Town Council is authorized to enact this Ordinance, as specified in Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, the Kittery Community Center opened in 2012; and

WHEREAS, there has been a growing confusion regarding what the Recreation Department is relative to the Kittery Community Center; and

WHEREAS, the Town is now at an advantageous point to transition the name of the Recreation Department to the Kittery Community Center to alleviate the confusion and effect a full rebranding of the Kittery Community Center; and

WHEREAS, Title 2 also needs to be updated to reflect the current staff positions at the Kittery Community Center, and to achieve consistency in the format of the purposes for this department;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 2 OF THE TOWN CODE, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____,

20____, by: _____ {NAME} Motion to approve by Councilor

_____ {NAME}, as seconded by Councilor _____ {NAME} and

passed by a vote of _____.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

Attest: {NAME}, _____ Town Clerk

§ 2.4.4.1 ~~Recreation Director/General Manager.~~ Kittery Community Center Director

~~The purpose of the position of Recreation Director/General Manager is to manage, supervise and direct the day-to-day operations of the Kittery Community Center and Recreation Department in the Town of Kittery. In addition this person will serve as the general manager of the KCC and will manage the Frisbee Annex as well as the Cole Street facility. This position reports to the Town Manager. Duties include, but are not limited to: development and implementation of Recreation Department policy, adheres to KCC policies implemented by the BOD, purchasing, maintaining records and files, supervising staff, directing activities, preparing budgets, scheduling building maintenance and repairs, maintaining records, and performing additional tasks as assigned by the Town Manager.~~

The purpose of the position of Kittery Community Center Director is to manage, supervise and direct the day-to-day operations of the department, and its associated facilities. Duties include, but are not limited to: coordination of recreational activities and programming, development and implementation of town and department policies, purchasing, maintaining records and files, supervising staff, directing activities, preparing budgets, scheduling building maintenance and repairs, supporting the Kittery Community Center Board of Directors, and performing additional tasks as assigned.

§ 2.4.4.2 **Secretary/Bookkeeper.**

The purpose of the position of Secretary/Bookkeeper is to provide administrative, secretarial and bookkeeping support for the ~~Recreation Department of the Town~~ Kittery Community Center. ~~This position reports to the Recreation Director.~~ Duties include, but are not limited to, accounting of all revenue/receipts/deposits: ~~Active Net~~ ticketing system registrations and reports; providing customer relations; registering participants for programs; tracking payments; processing mail; and performing additional tasks as assigned ~~by the Recreation Director.~~

§ 2.4.4.3 ~~Assistant Recreation Director/Assistant General Manager.~~ Kittery Community Center Assistant Director

~~The purpose of the position of Assistant Recreation Director/Assistant General Manager is to assist the Recreation Director/General Manager in coordinating recreational activities and programming for Kittery Recreation as well as the Kittery Community Center. This position exercises independent, professional judgment and initiative in implementing and administering the policies of the Recreation Department. The position also directs the work of the Department in accordance with applicable laws under the direction of the Director/General Manager. This person is responsible for the Active Net recreation registration program and all of the added components; that includes, but is not limited to, scheduling, payments, bookkeeping, POS, etc. This position also is in charge of training all necessary staff on the Active Net system. This position is the direct supervisor for receptionists and the Sports Coordinator. This position is responsible for scheduling and planning special events for the entire Department activities and scheduling those of the Kittery Community Center. Scheduling of the facility includes, but is not limited to, theater events; weddings; memorials; kitchen usage; Fort Foster pavilions; fields; gym usage; etc. Other duties may be required and assigned by the Recreation Director/General Manager. This position reports to the Recreation Director/General Manager.~~

The purpose of the position of Kittery Community Center Assistant Director is to assist the Director in coordinating recreational activities and programming. Duties include, but are not limited to: scheduling and planning special events, supervising staff, overseeing the Sports/SAFE Coordinator, scheduling rentals of facilities and recreational areas, working with customers, and performing additional tasks as assigned.

§ 2.4.4.4 ~~Safe Alternatives for Enrichment (S.A.F.E.) Coordinator.~~ SAFE Coordinator

~~The purpose of the position of S.A.F.E. Coordinator is to coordinate, direct and supervise the after-school program named "Safe Alternatives for Enrichment and the Summer Playground Program." This position~~

~~reports to the Recreation Director. Duties include, but are not limited to, supervising staff; directing activities; coordinating workshops; tracking payments; planning special events; providing programming; and performing additional tasks as assigned by the Recreation Director.~~

The purpose of the position of Sports/SAFE Coordinator is to coordinate, direct and supervise Kittery Community Center after-school program named "Safe Alternatives for Enrichment", the Summer SAFE Program, and the department's recreational sports programs. Duties include but are not limited to: supervising staff; ensuring conformance with institutional regulations of the State of Maine's day-care licensing provisions; scheduling of fields; directing activities; coordinating workshops; tracking payments; planning special events; providing programming; and performing additional tasks as assigned.

~~§ 2.4.4.5 Program Coordinator.~~

~~The Program Coordinator is responsible for implementing, coordinating and supervising the Town's sports programs for all ages and adventure-based programming on a year-round basis and involvement in managing sports programs, including supervising of up to 100 volunteer coaches. This position will have a flexible workweek, with some weekend or evening hours expected during the winter months. The individual will generally work five days a week, 40 hours, with different days off, depending upon programming. This position reports to the Recreation Director.~~

~~§ 2.4.4.6~~ 5 Recreation Supervisor.

~~The position of Recreation Supervisor is responsible for implementing, coordinating and supervising the Town's marketing and public relations, including recruiting centers related to Kittery Recreation and Kittery Community Center. This position acts as the safety and training coordinator and instructs and documents all of the annual training for all staff. The Recreation Supervisor will be certified as an instructor for first aid, CPR and AED. This position supervises the state-licensed day care center, and Safe Alternatives for Enrichment Program (SAFE) all year and its personnel. Responsibilities include coordination of a volunteer program and Over 55 programming. This position reports to the Recreation Director.~~

The purpose of the position of Recreation Supervisor is to coordinate the Kittery Community Center's public relations efforts and assist in the development and implementation of programs. Duties include, but are not limited to: implementing, coordinating and supervising the Kittery Community Center's marketing and public relations, overseeing the Summer Adventure Program, developing programs for adults and seniors, coordinating and providing annual safety training for all staff, and performing additional tasks as assigned.

~~§ 2.4.4.7~~ 6 Early Childcare Supervisor/Head Teacher.

~~The purpose of the position of Early Childcare Supervisor/Head Teacher is to plan, organize, implement and coordinate the services of the child-care program for the Kittery Recreation Department. Under general supervision of the Recreation Director, the Early Childcare Supervisor is the head teacher and operates the child-care program in conformance with institutional regulations and State of Maine day-care licensing provisions. Responsibilities include the overall management of the early childhood program and its operation, facilitating, planning and coordinating the children's educational programs and activities for ages two through five years old. This position supervises the part-time preschool staff.~~

The purpose of the position of Early Childcare Supervisor/Head Teacher is to plan, organize, implement and coordinate the services of the child-care program for the Kittery Community Center. Duties include, but are not limited to: serving as head teacher, managing the early childhood program and its operation, supervising staff, facilitating, planning and coordinating the children's educational programs and activities for ages two through five years old, and ensuring conformance with institutional regulations of the State of Maine's day-care licensing provisions, and performing additional tasks as assigned.

~~§ 2.4.4.8 Sports Coordinator.~~

~~The position of Sports Coordinator is responsible for implementing, coordinating and general oversight of the Recreation Department's sports programs for all ages including the adventure based programming under the direction of the Assistant Director. Responsibilities include organizing summer sports camps, supervising after school open gym, representative to travel sports, and supervising evening and weekend sports programs. This position will be proficient in first aid and CPR. This position reports to the Assistant Director/Assistant General.~~

§ 2.4.4.9-7 **Head Custodian.**

~~The purpose of the position of Head Custodian is to manage the janitorial/cleaning duties of the Kittery Community Center. The person in this position will be responsible for performing varied custodial and light maintenance duties. This position manages all full-time and part-time custodians. The work requires the use of standard tools, general cleaning supplies, minor equipment, snow blower, buffer, and some carpentry tools. This position reports to the Recreation Director/General Manager.~~

The purpose of the position of Custodian is to perform the janitorial/cleaning duties at the Kittery Community Center, and other town properties as may be assigned. Duties include, but are not limited to: performing varied custodial and light maintenance duties, and performing additional tasks as assigned.

§ 2.4.4.10-8 **Assistant Early Childcare Supervisor/Head Teacher.**

The purpose of the ~~full-time~~ position of Assistant Early Childcare Supervisor/Head Teacher is to assist in the planning, organization, implementation and coordination of services of the early child-care program for the Kittery Community Center as well as serving as a head teacher, and performing additional tasks as assigned.

§ 2.4.4.11-9 **Lead Preschool Teacher.**

The purpose of the ~~full-time~~ position of Lead ~~Preschool~~ Teacher is to provide preschool children with professional educational and creative experiences both in the inside classroom and in the outdoor classroom. ~~Lead Teachers will~~ Duties include, but are not limited to: instilling a love of learning in their students and focusing on working with the individual student to learn at his or her own pace, and performing additional tasks as assigned.

§2.4.4.12-10 **Facility Maintenance Supervisor**

The purpose of ~~this~~ the position of Facility Maintenance Supervisor is to manage the ~~custodian~~ custodial staff and building maintenance responsibilities of the Kittery Community Center, Town Hall, and other municipal facilities as assigned. Duties include, but are not limited to: overseeing town facility maintenance programs, coordinating and performing varied custodial and building maintenance functions; supervising all custodians at the Community Center, Town Hall and other buildings as assigned. ~~This position report to the Community Services Director/General Manager.~~

§2.4.4.11 Recreation Clerk

The purpose of this position is to provide customer service to the general public. Duties include but are not limited to: providing reception and cashier duties, facilitating program registrations, providing other administrative support, and performing additional tasks as assigned.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Update to Multi-Year Agreement for Public Safety Answering Point Services
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

The Town of York is seeking an update to the Public Safety Answering Point Memorandum of Understanding it has with its service communities. Such that the Memorandum of Understanding represents a multi-year agreement and is being amended from the prior version approved by the Council in 2007, I am seeking Council approval to execute the updated MOU.

STATEMENT OF NEED

York has been providing PSAP services for Kittery for a number of years. We are required to have a designated PSAP as it serves as the point that 911 calls are directed to first. In recent years, the state has added new requirements for quality assurance reporting, for implementation of electronic dispatch protocols, and employee certifications.

The Town has been pleased with the PSAP services provided by York.

The updated MOU reflects the impact of the evolving dispatch requirements and indicates the price Kittery will be charged for PSAP services for the next three years. Based on the US Census 2016 ACS Population Estimate, Kittery has a population of 9,614. The cost will equate to \$26,438.50 in Year 1 (FY19), 28,842 in Year 2 (FY20), and \$31,245.50 in Year 3 (FY21). The Town paid \$26,067.50 in FY18 and budgeted \$28,000 in FY19 anticipating the price increase from York.

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Updated Memorandum of Understanding
- Existing Memorandum of Understanding (approved 2007)
- Proposed Enactment
- Excerpt of Council Minutes
- Explanation from York County on Cost Increases

MEMORANDUM of UNDERSTANDING
BETWEEN THE TOWN OF YORK COMMUNICATION'S CENTER
AND THE TOWN OF KITTERY
FOR PSAP E 9-1-1 CALL HANDLING

Adopted January 22, 2018

AGREEMENT made June 21, 2018, by and between the Town of York, a municipal corporation located in the County of York and State of Maine (hereinafter "York"), and the Town of Kittery, (hereinafter collectively, the "parties") for the provision of Public Safety Answering Point E 9-1-1 call taker services to the various municipalities.

WHEREAS, the Maine Emergency Services Communication Bureau (ESCB) was created by the legislature to develop standards and plans as well as implement and maintain oversight authority for the E 9-1-1 system in the cities and towns throughout Maine; and

WHEREAS, the primary goal of a Public Safety Answering Point (PSAP) Center is to provide emergency call taking services for all emergency service providers in the Municipality; and

WHEREAS, the Maine Legislature has directed the Public Utilities Commission to reduce the number of State-funded PSAPs to between 16 and 24; and

WHEREAS, the parties, do not receive State funding for the operation of their own PSAPs, and

WHEREAS, the Town of York has offered to serve as a "regional PSAP Center"; and

WHEREAS, the parties wish to preserve and maintain, to the greatest extent possible, standards which offer their citizens a high level of response while being fiscally responsible as well; and

WHEREAS, the residents of the parties deserve and expect the availability of all public safety resources; and that such resources shall be provided in the most expeditious manner; now, therefore, be it

RESOLVED, that the operation of the Regional PSAP Center shall be as described below:

Section 1. Operation and Costs

- A. The PSAP Center shall be under the direct control and supervision of the Chief of Police of the York Police Department and/or his designee (Communications Center Manager)
- B. A Governance Committee consisting of representatives of the municipalities the PSAP Center serves shall be formulated. The Governance Committee shall make recommendations concerning the operation of the PSAP to the Communications Center's Manager and will work to resolve issues that may arise from the operations. The Committee shall meet as necessary to resolve any issues.
- C. The Communication Center's Manager will work with the parties various Department Heads to ensure compliance with all sections of this agreement, thereby fostering mutual cooperation and effective use of all emergency resources.
- D. The Communication Center's Manager shall ensure compliance with all pertinent ESCB rules, regulations and guidelines concerning operation of a PSAP Center and E 9-1-1 system.
- E. The fees charged to each community shall be based on the American Fact Finder US Census 2016 ACS 5 Year Population Estimate at \$2.75 per capita the first fiscal year FY19, \$3.00 the second fiscal year FY2020 and \$3.25 the third fiscal year FY2021. Each community will be billed on a semi-annual basis in September and January.
- F. The agencies represented in this agreement recognize the complexities involved and realize this regional effort will require continuous review and improvement. On occasion, problems or concerns between agencies or disciplines will occur. First line supervisors assigned to those agencies, departments, or organizations experiencing those concerns shall work to resolve such issues at their level. Should the issue rise to the level of Chief of Police and a resolution is not reached in satisfaction of all parties, the issue shall be brought before the PSAP Governance Committee for action.

Section 2. Dispatch Procedures.

- A. The York PSAP Center shall provide only E 9-1-1 call-transfer functions for those municipalities who utilize a separate communications center unless specifically contracted to provide other services. The dispatching of public safety agencies in those municipalities shall be done by their respective municipal communication centers. Those agencies' dispatchers must maintain the appropriate certifications as required by the State of Maine specifically but not limited to Emergency Medical Dispatcher (EMD) certification, Emergency Fire Dispatcher (EFD) certification and Emergency Police Dispatcher (EPD) certification once they become mandated by the ESCB.
- B. E 9-1-1 and other emergency calls received for member municipalities with public safety agencies shall be transferred as quickly and efficiently as possible, and within the guidelines established by the ESCB.
- C. All citizens requesting the non-emergency services of a specific municipal police or fire agency shall be directed to the appropriate municipal communication center to be handled.
- D. This memorandum of understanding in no way precludes any public safety agency from requesting assistance from any other public safety agency, pursuant to any existing agreement between those agencies.
- E. Any party may terminate their agreement with twelve months written notice to the other party or parties, unless a shorter period is mutually agreed to.

- F. The York PSAP Center shall provide E 9-1-1 call-transfer functions once this MOU has been signed and upon agreement with the ESCB.
- G. Dispatch center supervisors shall provide the York Communication Manager with copies of certification of all dispatchers (full or part time) for each of the protocols mandated by the ESCB. Dispatch centers will insure that the York Communications Center shall be notified as soon as possible as to the need to cover calls when certified dispatchers are not available.
- H. For every instance that a participating agency fails to provide a certified dispatcher as required by Section 2-A above, a penalty of \$100.00 will be assessed for each E 9-1-1 call for the Towns of Kittery or Eliot that must be handled by the York PSAP. (Penalties will be assessed to the dispatching agency which is Kittery).

Section 3. Effective Date.

The conditions and procedures outlined in this Memorandum of Understanding shall be in full force and effect upon the date of the signing of this agreement by those municipalities and the transfer of 911 services to the York Communication Center by the ESCB.

Section 4. Agreements.

The signatures of the following shall effectuate compliance with the terms and conditions of this Memorandum of Understanding.

Kittery- Police Chief Date

York – Police Chief Date

Town Manager Date

Town Manager Date

**TOWN OF KITTERY
APPROVAL OF A MULTI-YEAR AGREEMENT
FOR PUBLIC SAFETY ANSWERING POINT SERVICES**

AN ORDINANCE relating to the municipality's authority for Town governance to give due and proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A, Municipalities and Counties.

WHEREAS, the Kittery Town Council is authorized to enact this Ordinance, as specified in Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, Kittery is required to have Public Safety Answering Point services; and

WHEREAS, The Town of York has been providing such services since 2007; and

WHEREAS, the Town of York is seeking to update the Memorandum of Understanding for the services; and

WHEREAS, the updates are agreeable to the Town of Kittery;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY APPROVES OF A MULTI-YEAR AGREEMENT AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____,

20____, by: _____ {NAME} Motion to approve by Councilor

_____ {NAME}, as seconded by Councilor _____ {NAME} and

passed by a vote of _____.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

Attest: {NAME}, _____ Town Clerk



TOWN OF YORK, MAINE

Police Department

MEMORANDUM

Douglas P. Bracy
Chief of Police

Mailing Address:
9 Hannaford Drive
York, Maine 03909

Dispatch
Non Emergency
(207) 363-4444

Administration
(207)363-1031

Facsimile
(207) 361-6818

www.yorkpolice.org

**Committed
to excellence**

DATE: January 31, 2018
TO: Chief James Soucy, Kittery Police Department
FROM: Chief Douglas P. Bracy
SUBJECT: PSAP Fee Increase - July 2018

In preparation for the upcoming fiscal year, I am reaching out to all our PSAP partners to advise you we intend to raise the current PSAP fee of \$2.50 starting in July of 2018. The scheduled increase will be phased in over three years to lessen the financial impact. These are the increases we spoke of in our August 2017 partners meeting.

The Town of York has invested over \$4 million dollars in building a new police facility with a state of the art communication center to insure we have the best facility and equipment going forward to meet the needs of our partners today to provide regional PSAP services and, regional dispatch services well into the future. The PSAP rates have been stable since 2013 and are less than the present fees of other RCCs. With the consistent delivery of professional services and our commitment in facility upgrades, a fee increase is appropriate.

In 2006 the Town of York was chosen to operate as the regional PSAP center for the towns of Kittery, South Berwick, Eliot, Ogunquit and York. This decision occurred when the state legislature and Public Utilities Commission decided to reduce the number of centers from 46 to 26. It was felt by our partners that it was important to maintain a local PSAP in the southern York County. At the time, the Town of York could keep the costs for service quite low as we operated a regional dispatch center with Ogunquit and had adequate staffing of two dispatchers per shift on duty to handle the increased volume of call transfers. We set the rate at a \$1.50 which was well below any other PSAP center at the time. This path was also chosen as many of these same towns were involved in discussions over those years to create one regional dispatch center for our area. This concept was prudent as maintaining a PSAP center locally with dispatching services is the best model to provide these services to our citizens in a time efficient and seamless manner. We maintained these low costs for four years until pressures to add additional Towns mounted as the state looked to again

consolidate PSAP centers from 27 to 17. At the same time, the State RCCs and others PSAP centers had started to increase fees dramatically causing other municipalities to look for less expensive and better alternatives.

During this period, Emergency Medical Dispatching was being introduced and mandated for all call takers whether in the PSAP center or another dispatch center handling PSAP calls that were transferred. This mandate as we all know has added a tremendous burden for all involved especially with the quality assurance requirements and the fact that part time dispatchers need the same certification to handle calls. This mandate occurred as budgetary pressures mounted within the Town to raise the user fees for PSAP services to cover the increasing costs associated with it. Ironically this took place at the same time as we were being chastised by the Emergency Services Communication Board, PUC, and others for offering services at rates lower than others could offer them creating what some described as "rate shopping". We developed reasonable rates to provide the level of service necessary given our center and its costs at the time.

In Fiscal Year 2009-2010, we contracted with Kennebunkport and Wells to increase our PSAP center to position ourselves to maintain the center as the Legislature was again looking to reduce the number of PSAPs statewide to 17.

While increasing our PSAP centers size, we also created a plan to gradually increase fees to provide parity to our present users, potential new users and to defray the center's operating costs. Wells and Kennebunkport started off at a rate of \$2.00 per capita and increased to \$2.25 for FY 2010-2011 and \$2.50 for FY 2011-2012.

For FY 2009-2010 the original agencies in this consolidation saw no increase as we felt that it was only fair to give plenty of notice for the proposed increase and in FY 2010-2011 the fee increased to \$1.50. In FY 2011-2012 the rate went to \$2.00 and in FY 2012-2013 it went to \$2.50.

At the end of FY 2012-2013 all communities served were being charged at the same rate of \$2.50 per capita which put everyone on a level playing field. We have maintained this rate for four years.

It is indisputable that the best way to provide seamless emergency communication services is to provide both PSAP and dispatching services in one center as it is the quickest way to dispatch emergency services in a manner that allows the dispatcher, citizen, and responding emergency units to all be connected. It is also the best way to meet the mandated standards and training of employees for Emergency Medical Dispatching (EMD) protocols and the introduction of Emergency Fire Dispatching (EFD) protocols in February of 2018. All should agree it is becoming more difficult for single person dispatch center to be able to maintain these required certifications for all the personnel working in those centers taking these types of calls. It is just also onerous to meet the necessary requirements of quality assurance to review 100 percent of the calls as well.

These changes are requiring us to put stronger requirements in our PSAP agreements that dispatch centers we call take for will need to maintain certified personnel, both full time and

part time, all the time or face the possibility of fines when operating a center without certified personnel.

We cannot cover all the EMD and EFD calls that our center receives for all our partners with our present staff. In the past, we have been understanding when issues have arisen and a certified dispatcher was temporarily not available or when an entity encountered certification issues due to a lapsing of their EMD agreement. We covered these calls as part of our commitment to see the system worked for all of our partners by the rules. As I saw this problem evolving I required my staff to document every time we had to cover EMD calls for another dispatch center in a log. It is becoming more common place for some dispatch centers to not have certified personnel on the desk even with our prior agreement. We can no longer carry that burden without compromising our own operation or the operations of all those we PSAP for. The new agreement contains language and consequences for not maintaining certified staff to answer EMD and soon to be EFD calls in their centers. It also requires dispatch centers to provide certifications for their personnel to the York Communications Center and to notify our center when they cannot provide a certified dispatcher. Fines will be based on the number of all E911 calls taken during these lapses in coverage.

We recently partnered with Kennebunkport to provide all PSAP services including EMD and EFD. Their community saw the value of having this service while still maintaining their own dispatch center. The agreements you are receiving with this memo will outline the cost of the call taking rate increases. The call taking rate is based solely on a per capita rate based on population over a three-year period.

Our goal is to build towards regionalization of not only our PSAP services but of our dispatching services as well. That is one of the reasons we invested heavily in our communication center and its technologies.

Regionalization would be the most cost-effective formula and would undoubtedly provide the quickest most seamless delivery of emergency services to your communities and the citizens we serve. Call transfers to a secondary dispatch center create unnecessary delays in the toning out of emergency services, in the response of first responders to the scenes of emergencies, and in keeping those responders up dated during their response.

We will continue to provide quality professional services to our citizens and PSAP partners at a fiscally responsible price while staying abreast of mandates and technology. Our center and personnel take great pride in being able to serve each of you. We hope that you agree and will continue to utilize the York Communications Center for your PSAP needs and other services that best meet the needs of your communities.

**OFFICIAL BALLOT
KITTERY, MAINE
NOVEMBER 6, 2018**

1 **Shall the town vote to adopt the Comprehensive Plan Update 2015 - 2025?**

2 Explanation: A copy of the Comprehensive Plan Update 2015-2025 Executive
3 Summary and Volumes 1 through 3 are available at the Town Hall, Kittery Community
4 Center, and Rice Public Library. The Comprehensive Plan Update Committee
5 developed the Comprehensive Plan Update following an extensive public input and
6 drafting process. The plan has been deemed to be consistent with the goals and
7 guidelines of the Growth Management Act (30-A MRS §§ 4312 - 4350) by the
8 Department of Agriculture, Conservation and Forestry. The Comprehensive Plan
9 serves as the town's basis for land use and zoning ordinances. It also serves as a
10 framework for town government's annual and multi-year goals and objectives.

**Review and Adoption Schedule
2015 - 2025 Comprehensive Plan**

DATE	ACTION	NOTES
COMPLETE	Update Executive Summary and Action Plan	Update documents with comments and input received from the Planning Board in July.
COMPLETE	Issue Updated Executive Summary and Action Plan	Provide as an "FYI" to Council in packets.
COMPLETE	CPUC and Town Council Workshop	CPUC to lead a workshop with Council and to gather input on the Comp Plan Exec Summary & Action Plan content.
COMPLETE	CPUC 30-Day Public Hearing Notice Issued (required by MRS)	Issued March 22nd.
COMPLETE	CPUC Public Hearing and Final Edits	Public Hearing April 24th, 6PM Council Chambers
COMPLETE	Submit revised plan to state for review	State confirmed the plan is still consistent.
July 23	Council Schedule Public Hearing on Ballot Measure	Public hearing scheduled
August 27	Council Hearing on Ballot Measure	
November 06	Comprehensive Plan Vote to Adopt	



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Transfer Requests for Fiscal Year 2018
Councilor Sponsor: Chairperson Kenneth Lemont

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 2018 to various accounts and carryforwards as specified below.

We are seeking to utilize the entire operating budget surplus for directed needs, rather than pass it through to the undesignated surplus reserve.

The \$649,823 collected in excess revenue, less audit adjustments, will pass directly to the undesignated surplus, and allow us to make significant progress on meeting our reserve fund goal.

STATEMENT OF NEED

As the close of the Fiscal Year 2018 is being prepared, a number of departmental deficits have emerged. The operating budget deficits and surpluses are to be expected as we respond to the needs and situations that are presented over the course of the fiscal year. The Other Funds transfers are primarily focused on financial planning for the future, with one noted deficit in a building project. Details for each transfer request are below.

OPERATING BUDGET

• From Overlay to Miscellaneous: \$13,066

The primary contributors to the overage in this budget were computer repairs and replacements (operating expenses and costs under \$5,000) and mosquito control. The town's mosquito control vendor has been spraying for the town for years and has been seeking an increase to cover the growing cost of materials and personnel. We sought price quotes from other vendors to determine how competitive the contract was, even with the increased costs, and found the number of potential vendors are very small and the costs the town currently pays are very competitive. Computer repairs and replacements cover all technical support, computer setup, and replacement of consumables that do not fall under CIP.

• **From Overlay to Kittery Community Center: \$17,420**

The deficit is the result of cost of living and step increases negotiated within the collective bargaining agreements. Contract negotiations were still ongoing when the FY18 budget was finalized.

• **From Overlay to Assessing: \$3,646**

The allocation of the Development Staff Clerk's retirement, workers compensation, and medical insurance costs were not incorporated into the Assessing budget, resulting in a deficit in this budget. They were accounted for in the Planning Department budget where the Clerk's primary assignment is.

• **From Various to Other Insurance: \$13,387**

Retired employee medical insurance came in \$24,889 over budget due to the increase in retirees eligible for benefits. The overage was offset by savings in other lines, bringing the total deficit to \$13,387.

• **From Town Council & Streetlights to Elections: \$4,060**

The significant cost this year for elections was in the printing of ballots for both the November election, that had multiple referendum, and the June Town Meeting warrant with two added articles. We also increased staffing for the June election in anticipation of a larger turnout for the state referendum.

OTHER FUNDS/CAPITAL

• **From Various to TIF: \$107,084**

As reported early in FY18, we discovered a miscalculation in the TIF assessments. The resulting deficit to the TIF accounts must be addressed in order for the town to remain in compliance with the agreements it signed with the state on the establishment of the TIF districts. This transfer will address five years of deficits and bring the town current with its TIF accounts. The deficits are:

	DEFICIT
TIF 1	(7,324)
TIF 2	(90,422)
TIF 3	(9,338)
TOTAL DEFICIT	\$ (107,084)

• **From Port Authority to CIP – KPA Equipment Reserve: \$17,691**

The condition on some of the town floats that make up the Pepperrell Cove facility are deteriorating to the point that frequent, short-term repairs have been needed this season. These conditions were not directly present in the development of the CIP for FY19, but are expected to cause ongoing challenges. This transfer will make available more funds for needed float replacements in FY19.

- **From Overlay to Fire Facility Reserve: \$25,758**

This is for the boiler replacement project for the Gorges Road station. We were able to purchase a more efficient heating system than originally planned, with eligible rebates to offset the total cost. We also addressed the inadequate heat supply in the office areas. Despite the record-breaking cold weather this winter, the new heating system resulted in the Fire Department spending only \$18,524 in heating oil, compared to a three-year average of \$25,000.

- **From Various to Compensated Absences Reserve: \$31,108**

Consistent with the prior year's transfer request, I am seeking additional funds be allocated to Compensated Absences to further build a reserve balance that will be needed to offset future anticipated payouts. In FY18, we paid \$111,018. The account was able to handle this expenditure without having to utilize undesignated funds, because the Town Council agreed to transfer a significant amount from the FY17 surplus to this fund. Current balance in the Compensated absences is \$96,730.

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. A number of our staff are nearing retirement age within the next four to five years. Unless timed perfectly, the wave of retirements could easily overwhelm the annual operating budget and the \$125,000 made available through the undesignated funds.

CARRY FORWARDS

- **Administration: \$10,000**

I had anticipated conducting a compensation and classification study for the administrative, professional and non-union positions in FY18 in accordance with Title 2.3.6 and 2.3.7, which require periodic review and maintenance of the town's classification and pay plans.

I chose to not implement the project in FY18 due to spending projections and the need to ensure we had sufficient funds to cover our operating needs. Having been able to cover the necessary deficits sufficiently, I would like to complete this project as planned.

PROPOSED SOLUTION/RECOMMENDATION

Approve transfers and carryforwards as requested.

ATTACHMENTS

- Transfer of Appropriations Enactment
- FY2018 Budget Roll-Up
- FY2018 Year End Transfers and Carry Forwards
- FY2018 Year End Financial Report

**TOWN OF KITTERY
FISCAL YEAR 2018
TRANSFER OF APPROPRIATIONS**

AN ORDINANCE relating to the municipality's authority for Town governance to give due and proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A, Municipalities and Counties.

WHEREAS, the Kittery Town Council is authorized to enact this Ordinance, as specified in Sections 1.01 and 6.09(4) of the Town Charter; 30-A MRS §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, the Town Manager has submitted a written request to transfer Fiscal Year 2018 appropriations from one department to another and carryforward funds for the completion of work objectives planned for Fiscal Year 2018; and

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §6.09(4), THE TOWN OF KITTERY HEREBY ORDAINS THE FISCAL YEAR 2018 TRANSFER OF FUNDS AND APPROVAL OF CARRYFORWARDS, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____, 20____, by: _____ {NAME} Motion to approve by Councilor _____ {NAME}, as seconded by Councilor _____ {NAME} and passed by a vote of _____.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

Attest: {NAME}, _____ Town Clerk

Report to Council
Fiscal Year 2018
Year End Transfers & Carry Forwards
All Funds

GENERAL FUND TRANSFERS

FROM			TO		
101160	Overlay	\$ 13,066	101740	Miscellaneous	\$ 13,066
101160	Overlay	\$ 17,420	101830	KCC	\$ 17,420
101160	Overlay	\$ 3,646	101210	Assessing	\$ 3,646
101160	Overlay	\$ 5,099	103000	Other Insurance	\$ 5,099
101320	Fire	\$ 4,159	103000	Other Insurance	\$ 4,159
101930	Resource Recovery	\$ 4,129	103000	Other Insurance	\$ 4,129
101115	Town Council	\$ 2,017	101230	Debt & Interest	\$ 2,017
101115	Town Council	\$ 1,545	101130	Elections	\$ 1,545
101330	Streetlights	\$ 2,515	101130	Elections	\$ 2,515
101110	Administration	\$ 75,005	101155	TIF	\$ 75,005
101310	Police	\$ 8,350	101155	TIF	\$ 8,350
101721	Planning	\$ 13,270	101155	TIF	\$ 13,270
101720	Planning Board	\$ 3,348	101155	TIF	\$ 3,348
101520	General Assistance	\$ 2,023	101155	TIF	\$ 2,023
101540	Agencies	\$ 900	101155	TIF	\$ 900
101350	Civil Prep	\$ 700	101155	TIF	\$ 700
101550	County Tax	\$ 3,488	101155	TIF	\$ 3,488
Total General Funds Transfers		\$ 160,680	\$ 160,680		

OTHER FUNDS TRANSFERS

FROM			TO		
101840	KPA	\$ 17,691	4055	KPA Equipment Reserve	\$ 17,691
101160	Overlay	\$ 25,758	4100	Fire Facility Reserve	\$ 25,758
101930	Resource Recovery	\$ 25,400	2022	Compensated Absences	\$ 25,400
101720	Planning Board	\$ 4,755	2022	Compensated Absences	\$ 4,755
101330	Streetlights	\$ 304	2022	Compensated Absences	\$ 304
101750	Bank Fees	\$ 649	2022	Compensated Absences	\$ 649
Total Other Funds Transfers		\$ 74,557	\$ 74,557		

CARRYFORWARD

Account			Purpose
101110	Administration	\$ 10,000	Compensation/Class Study

Report to Council
Fiscal Year 2018
Budget Roll-Up

	BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	PROJECTION	AVAILABLE	% COLLECTED
REVENUE	\$13,652,327	\$24,000	\$13,676,327	\$14,326,150		\$649,823	105%
OPERATING FUNDS	BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	PROJECTION	AVAILABLE	% SPENT
Administration	\$1,192,391	\$0	\$1,192,391	\$1,107,385	\$0	\$85,006	93%
Assessors	\$143,502	\$0	\$143,502	\$147,147	\$0	(\$3,645)	103%
Overlay	\$64,990	\$0	\$64,990	\$0	\$0	\$64,990	0%
Police	\$2,976,000	\$0	\$2,976,000	\$2,967,649	\$0	\$8,351	100%
Fire	\$333,629	\$0	\$333,629	\$329,469	\$0	\$4,160	99%
DPW	\$2,260,089	\$0	\$2,260,089	\$2,230,559	\$0	\$29,530	99%
Planning	\$448,529	\$0	\$448,529	\$427,156	\$0	\$21,373	95%
Misc	\$1,826,076	\$24,000	\$1,850,076	\$1,871,949	\$0	(\$21,873)	101%
KCC	\$1,305,232	\$0	\$1,305,232	\$1,322,652	\$0	(\$17,420)	101%
KPA	\$129,885	\$0	\$129,885	\$112,193	\$0	\$17,692	86%
Library	\$467,380		\$467,380	\$467,380	\$0	\$0	100%
County Tax	\$934,420		\$934,420	\$930,931		\$3,489	
TOTAL	\$12,082,123	\$24,000	\$12,106,123	\$11,914,471	\$0	\$191,652	98%

OTHER FUNDS	BUDGET	TRANSFERS	REVISED BUDGET	YTD ACTUAL	PROJECTION	AVAILABLE	% SPENT
CIP Allocation (General)	\$1,472,963		\$1,472,963	\$1,472,963	\$0	\$0	100%
Fire Facility Reserves	\$36,340		\$36,340	\$36,340	\$25,758	(\$25,758)	100%
TIF	\$60,901		\$60,901	\$60,901	\$107,084	(\$107,084)	276%
TOTAL SURPLUS	\$13,652,327	\$24,000	\$13,676,327	\$13,484,675	\$132,842	\$58,810	0%

Notes:

* - This report represents projections which may be altered as the year end financial processes are completed.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Fiscal Year 2018 Financial Update – Year End
Councilor Sponsor: N/A

This is to provide the Council with a summary of the Year End (YE) Fiscal Year 2018 (FY18) finances.

As a general note the actual fiscal year books will not close until the end of August. YE transfer requests and audit adjustments are also not reflected in this summary, as they are still in process.

Additional information is attached.

Revenue

Final revenue collection exceeded the projection by \$649,823; or approximately 5% over projection. There will be audit adjustments to this figure which will drive it down slightly when the fiscal year is officially closed. All excess revenue is pushed through to the town's undesignated surplus fund and will offset anticipated spending from this fund including the \$450,000 approved at the ballot for the Government Street Wharf replacement project.

We were watching the solid waste recycling revenue closely and with due cause. This line came in 44% under projection, which equates to nearly \$61,000 under projection.

Code Enforcement stayed on course and exceeded projections. The projection for the year was \$203,000; actual revenue was \$401,461, meaning this line was effectively doubled. The strong economy is the direct driver of increased permit revenue. It will be interesting to see if the recent spike in construction material costs will have an equally dramatic downward pressure on construction and permit applications in the coming year.

Recreation revenues also contributed to the overall surplus. Janice Grady had set a goal to bring in \$1,000,000 in revenue before she retired. She exceeded her goal. Total recreation fee revenue was \$1,023,622. Congratulations Janice!

Fort Foster revenue exceeded the prior year by \$20,217 (for the fiscal year, not season). Total revenue collected in FY18 was \$219,168.

Revenue from Harbormaster operations was \$7,685 over projection, coming in at a total of \$129,135.

Expenditures

I implemented a spending freeze in March, based on the need to cover the TIF underfunding discovered early in FY18, an anticipated overage in the Fire Station boiler replacement project, and general spending projections. The FY18 budget had to recover \$132,842 for the TIF and boiler project, exclusive of any operating deficits.

The FY18 budget was established with projections that were more in-line with historic spending in areas such as snow and ice, general assistance, and police overtime, allowing us the ability to absorb the unanticipated expenditures slightly better than the prior year. Notwithstanding, we have held off on some planned projects to make unplanned expenditures fit within the bottom line.

The operating budget came in approximately \$190,000 under budget, or 1.4% under. This is a razor thin margin. The surplus was achieved through the diligent management of our Department Heads, and their understanding that we all need to work together to end the year in the black.

Through ongoing projections, we anticipated certain budgets to finish with a notable deficit or surplus. You will see general consistency with the focus from the quarterly reports through to this YE report. This reflects the benefit of early and frequent spending tracking and analysis.

The Administration budget is currently projected to have a \$85,000 surplus. This is entirely due to the Salary Adjustment line item. Offsetting the surplus were unanticipated overages in building maintenance and office supplies. Building maintenance issues include aging plumbing, ongoing roof issues, and general maintenance of the HVAC system.

The Police Department was able to bring the budget in on target, with a total surplus of \$8,351. Overtime came in \$13,065 over budget, but as directed, the overage was absorbed within the department budget. Vehicle maintenance was an area of savings, likely resulting from the effort to replace the vehicles more frequently through CIP funding. We made a major adjustment in how overtime was tracked, specifically by excluding from the operating expenses outside (billable) “police detail” costs. As previously explained these costs are directly offset by fees collected for the details. Outside details are now tracked in the Other Funds report as Billable Details (2301).

As a whole, DPW finished the year with a \$29,530 surplus. Though the snow accumulation totals were normal this year, the ice events (freezing of roads) were greater than normal resulting in much higher costs. We also made a conscience decision to apply salt earlier and more frequently to improve the quality of the roads during storms. Combined, these factors resulted in salt expenditures exceeding the budget by approximately \$93,000. Offsetting the salt overage was the implementation of the spending freeze and savings on the part-time salary lines due to the lag in hiring seasonal staff, specifically resulting from the overall challenges in trying to attract seasonal workers in this economy.

The Planning Department ended the fiscal year with a significant surplus, approximately \$21,000. There were savings of approximately \$27,000 from personnel costs due to the lag time in hiring the Director and the Planner. This was offset by the higher consultant costs for planning support in the initial phase of the department transition.

The Miscellaneous budget has a combined overage of \$22,666. This figure results from deficits primarily in Other Insurances for retired employees and computer replacement/repair costs. Elections came in \$4,060 over budget, due to the ballot printing and staffing to handle the anticipated turnout for the state referendum. There are offsetting savings in various sub-budgets within the Miscellaneous category that helped buffer the deficits. It is worth noting, that General Assistance came in \$2,024 under budget. This is in part, a result of increasing the budget in FY18 to reflect historical spending.

The Kittery Community Center is finishing the year with a \$17,420 deficit, entirely due to salary adjustments resulting from contract negotiations. This was anticipated and planned for through the Salary Adjustment line item.

The Harbormaster budget finished with an approximate surplus of \$17,691; with the savings primarily derived from the personnel line items resulting from the Harbormaster turnover.

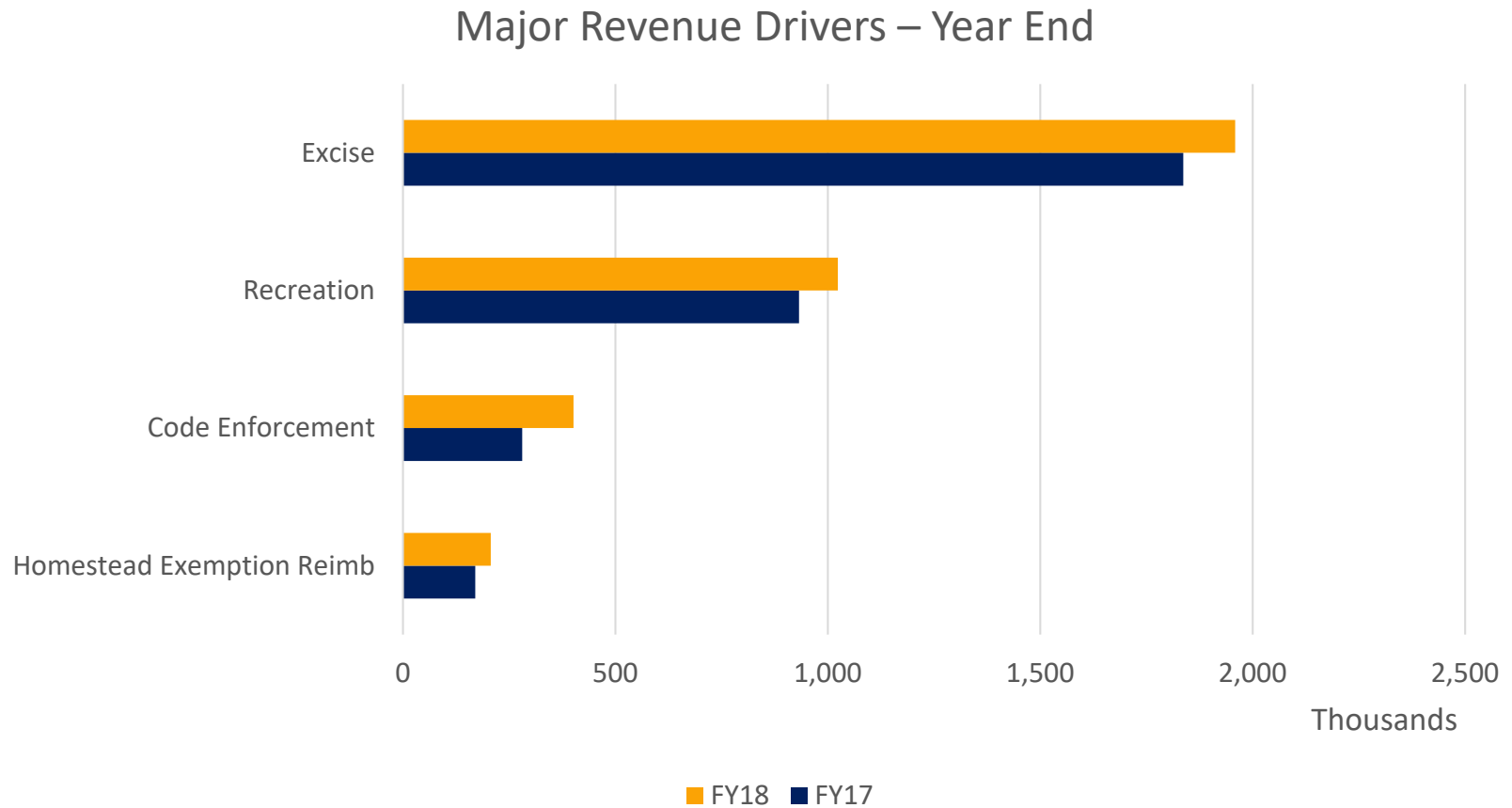
Sewer

As of the submission of this report, Sewer revenue has yet to be finalized. A portion of the revenue associated with the August bills will be applied to FY18, causing the delay in final projections.

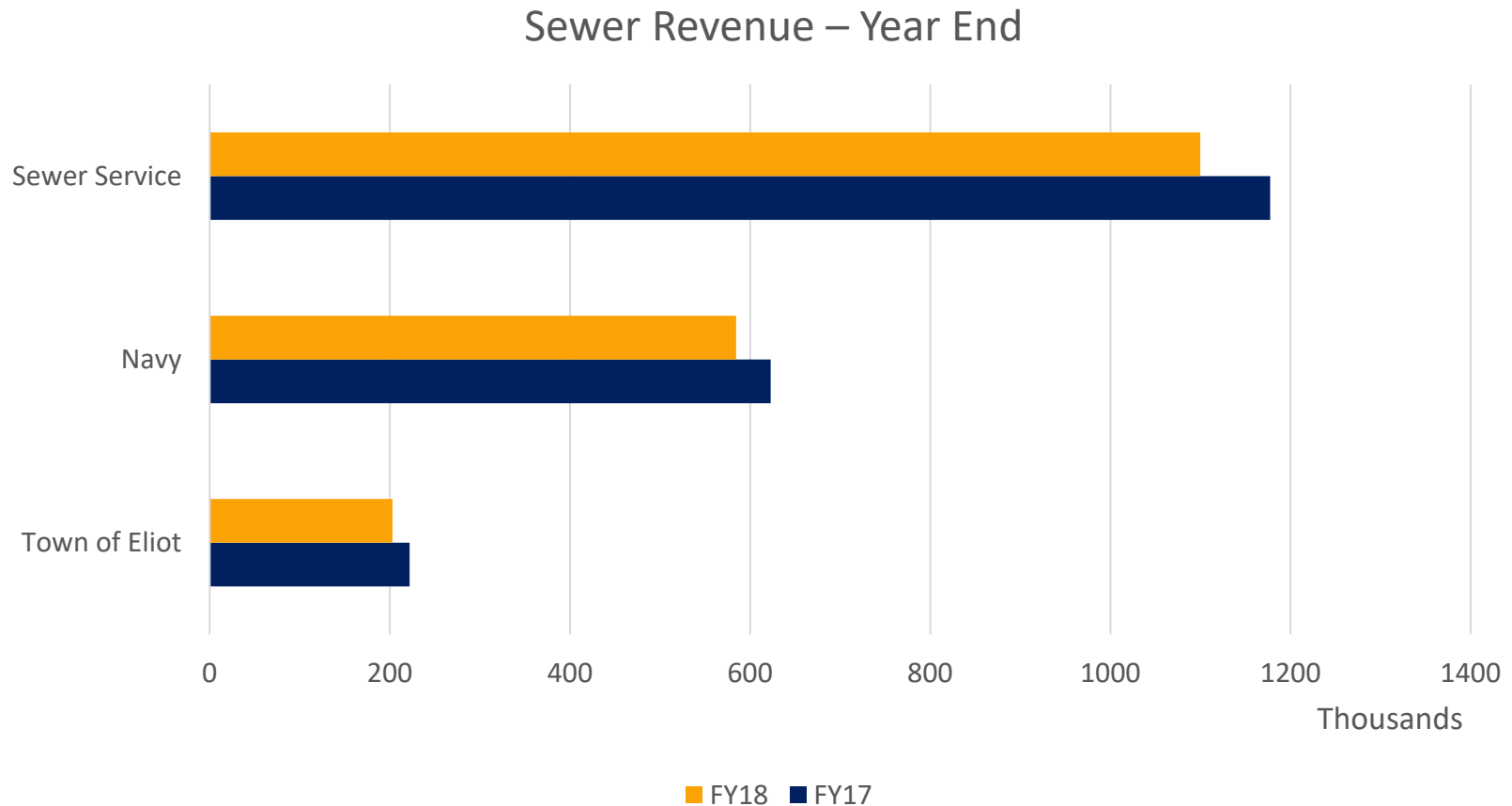
Expenditures for FY18 ended relatively flat against the budget. This includes all debt service principal previously reported only on the enterprise balance sheet. It is planned that moving forward all debt service will be recorded on the operating statement to provide an accurate representation of sewer operational expenditures.

We are currently projecting a \$250,000-\$300,000 shortfall in revenue against expenditures for FY18; but will need to complete the August billing to be certain of the final year position.

GENERAL FUNDS Revenues – YE 2018



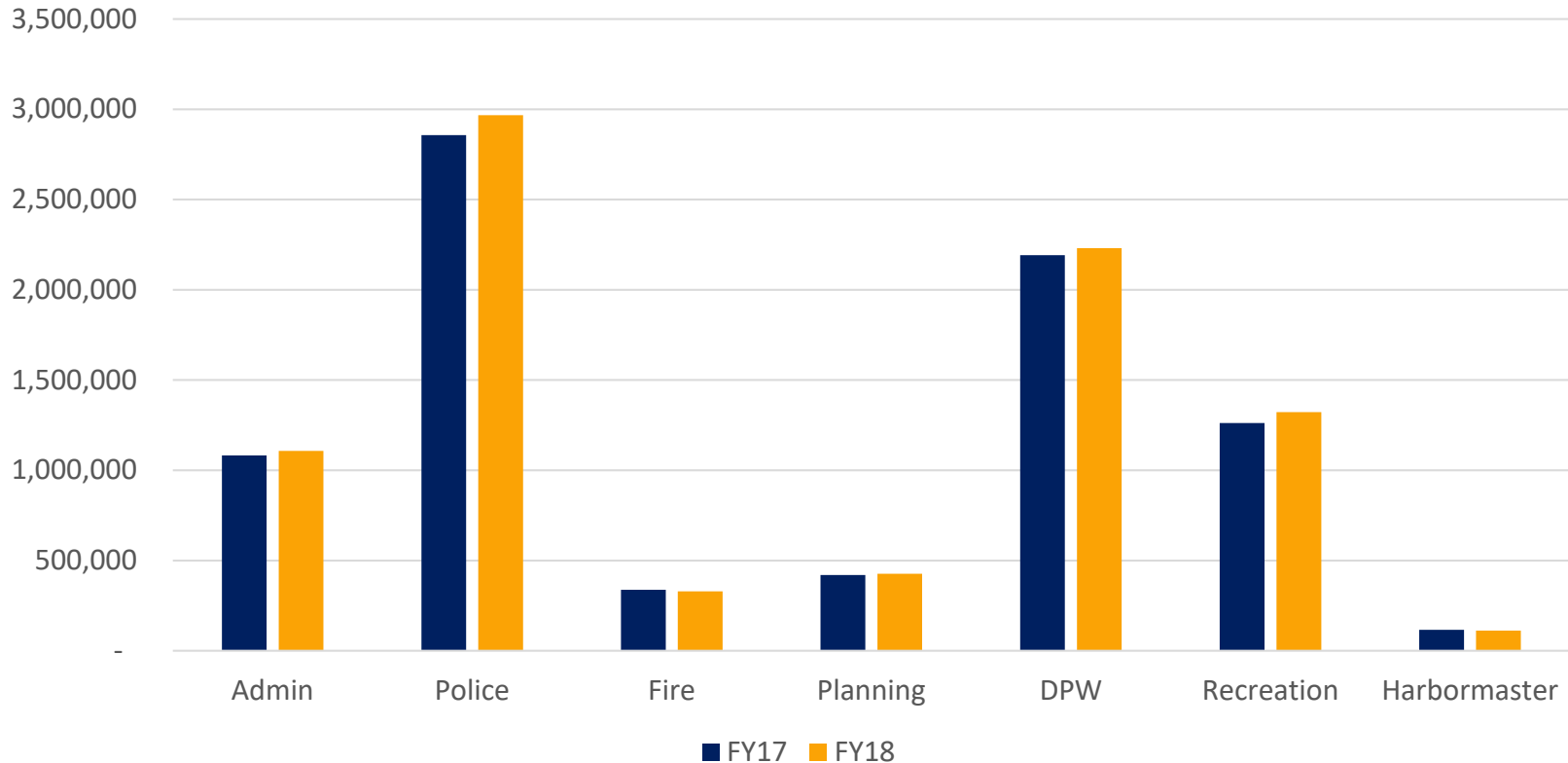
SEWER Revenues – YE 2018



- Final bills for FY18 are not yet booked. Revenue is expected to increase slightly with the closing of the fiscal year financials.

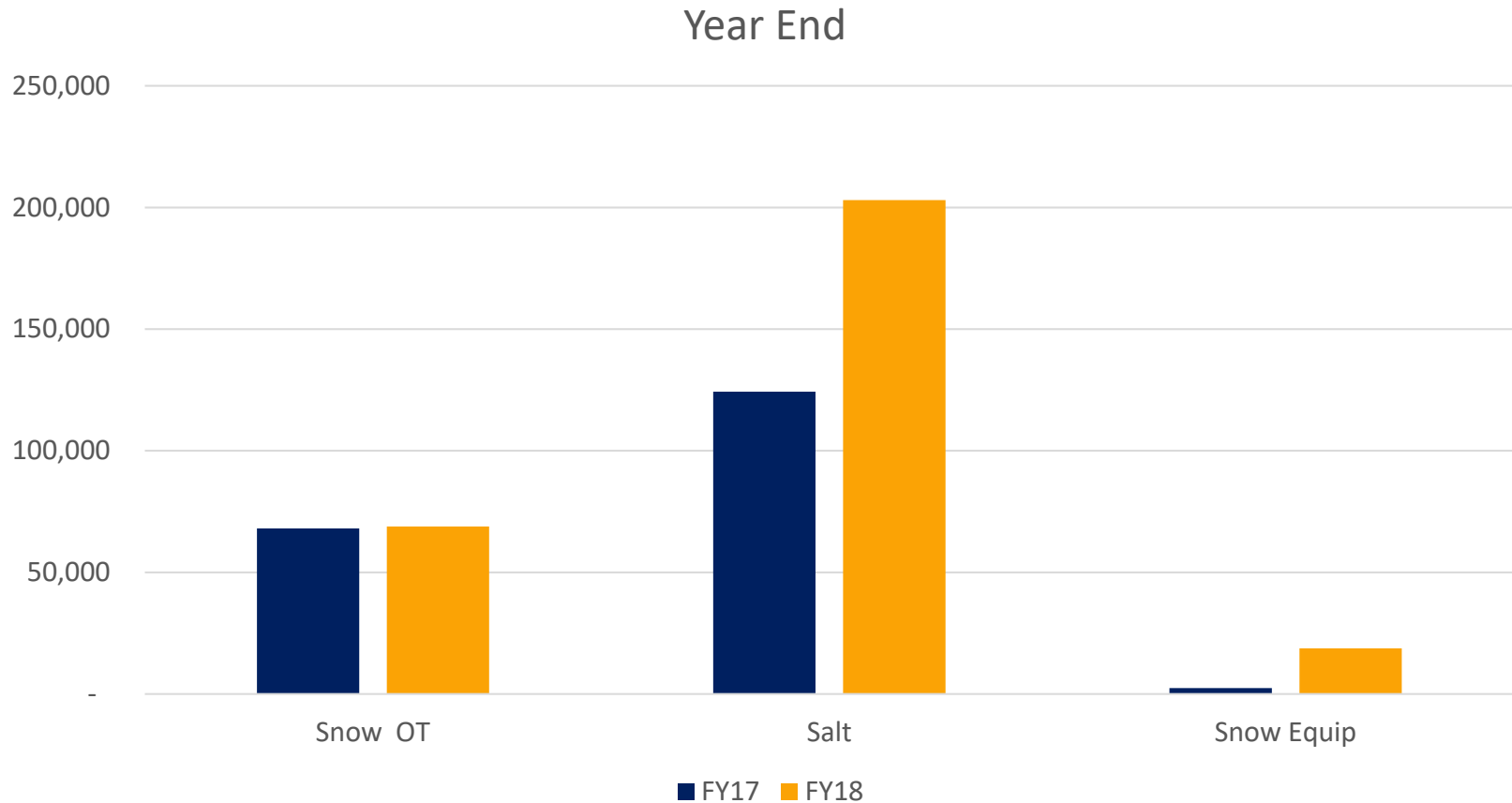
GENERAL FUND Expenses – YE 2018

Major Cost Centers – Year End



- Police OT is up over prior year due to injuries on duty and unplanned absences that required overtime.
- DPW is up significantly due to salt expenditures. The number of storms year-over-year during the same period vary. See next slide for breakdown.

Snow & Ice Expenses – YE 2018



08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 1
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101110 ADMINISTRATION							
101110 64011 MANAGER SALARY	88,620	.00	88,620.00	88,972.93	.00	-352.93	100.4%*
101110 64014 TOWN CLERK SALARY	71,321	.00	71,321.00	70,886.81	.00	434.19	99.4%
101110 64017 CLERKS SALARIES	200,961	.00	200,961.00	236,949.32	.00	-35,988.32	117.9%*
101110 64018 HUMAN RESOURCES MANAG	52,000	.00	52,000.00	53,020.00	.00	-1,020.00	102.0%*
101110 64020 PART TIME SALARIES	54,080	.00	54,080.00	30,540.20	.00	23,539.80	56.5%
101110 64026 FINANCE DIRECTOR SALA	95,000	.00	95,000.00	96,872.92	.00	-1,872.92	102.0%*
101110 64027 CUSTODIAN WAGES	7,540	.00	7,540.00	4,979.52	.00	2,560.48	66.0%
101110 64030 OVERTIME	2,000	.00	2,000.00	3,169.58	.00	-1,169.58	158.5%*
101110 64031 SALARY & POSITION ADJ	120,000	.00	120,000.00	.00	.00	120,000.00	.0%
101110 64033 SICK TIME BUY BACK	2,057	.00	2,057.00	1,806.56	.00	250.44	87.8%
101110 64050 MAINE STATE RETIREMEN	27,757	.00	27,757.00	40,774.88	.00	-13,017.88	146.9%*
101110 64051 ICMA EMPLOYER SHARE	14,899	.00	14,899.00	5,295.06	.00	9,603.94	35.5%
101110 64060 FICA EMPLOYER SHARE	43,879	.00	43,879.00	43,162.14	.00	716.86	98.4%
101110 64070 WORKERS COMPENSATION	3,568	.00	3,568.00	2,268.48	.00	1,299.52	63.6%
101110 64090 MAJOR MEDICAL INSURAN	109,915	.00	109,915.00	119,078.93	.00	-9,163.93	108.3%*
101110 64091 DENTAL INSURANCE	4,053	.00	4,053.00	4,390.29	.00	-337.29	108.3%*
101110 64092 DISABILITY INSURANCE	3,456	.00	3,456.00	4,187.59	.00	-731.59	121.2%*
101110 65010 POSTAGE	12,000	.00	12,000.00	10,640.68	.00	1,359.32	88.7%
101110 65020 TELEPHONE & INTERNET	8,000	.00	8,000.00	7,347.08	.00	652.92	91.8%
101110 65030 TRANSPORTATION	1,500	.00	1,500.00	.00	.00	1,500.00	.0%
101110 65040 EDUCATIONAL/MEETING E	5,000	.00	5,000.00	2,495.80	.00	2,504.20	49.9%
101110 65060 PRINTING	5,200	.00	5,200.00	4,566.45	.00	633.55	87.8%
101110 65080 LEGAL NOTICES/OTHER A	3,000	.00	3,000.00	1,213.73	.00	1,786.27	40.5%
101110 65200 ELECTRICITY	16,000	.00	16,000.00	12,174.69	.00	3,825.31	76.1%
101110 65220 WATER	335	.00	335.00	317.40	.00	17.60	94.7%
101110 65230 FUEL OIL	4,200	.00	4,200.00	4,514.03	.00	-314.03	107.5%*
101110 65240 DUMPSTERS	600	.00	600.00	586.92	.00	13.08	97.8%
101110 65250 SEWER	180	.00	180.00	240.00	.00	-60.00	133.3%*
101110 65300 MACHINE & EQUIPMENT M	30,000	.00	30,000.00	44,477.24	.00	-14,477.24	148.3%*
101110 65400 LEGAL SERVICES	60,000	.00	60,000.00	60,871.78	.00	-871.78	101.5%*
101110 65410 COMPUTER SERVICES	39,000	.00	39,000.00	40,690.63	.00	-1,690.63	104.3%*
101110 65415 WEB PAGE	6,525	.00	6,525.00	7,475.31	.00	-950.31	114.6%*
101110 65430 AUDIT SERVICES	16,500	.00	16,500.00	15,500.00	.00	1,000.00	93.9%
101110 65480 OTHER PROFESSIONAL SE	40,000	.00	40,000.00	34,759.14	.00	5,240.86	86.9%
101110 65500 MAINTENANCE OF BLDG/G	12,000	.00	12,000.00	10,191.00	.00	1,809.00	84.9%
101110 65980 PROFESSIONAL SERVICES	0	.00	.00	3,219.41	.00	-3,219.41	100.0%*
101110 66010 OFFICE SUPPLIES	6,000	.00	6,000.00	14,061.47	.00	-8,061.47	234.4%*
101110 66020 BOOKS/SUBSCRIPTIONS	745	.00	745.00	1,001.45	.00	-256.45	134.4%*
101110 66025 MAINE MUNICIPAL ASSOC	12,300	.00	12,300.00	12,157.00	.00	143.00	98.8%
101110 66030 OTHER SUPPLIES	0	.00	.00	860.50	.00	-860.50	100.0%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 2
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101110 66035 ABSTRACTS & LIENS	9,500	.00	9,500.00	7,502.00	.00	1,998.00	79.0%
101110 66040 JANITORIAL SUPPLIES &	700	.00	700.00	2,486.17	.00	-1,786.17	355.2%*
101110 67510 OFFICE FURNITURE & EQ	2,000	.00	2,000.00	1,679.92	.00	320.08	84.0%
TOTAL ADMINISTRATION	1,192,391	.00	1,192,391.00	1,107,385.01	.00	85,005.99	92.9%
101115 TOWN COUNCIL							
101115 64001 COUNCIL STIPEND	4,000	.00	4,000.00	2,780.00	.00	1,220.00	69.5%
101115 64060 FICA EMPLOYER SHARE	306	.00	306.00	244.00	.00	62.00	79.7%
101115 65480 OTHER PROF SERV/COUNC	3,000	.00	3,000.00	1,069.40	.00	1,930.60	35.6%
101115 66037 COUNCIL EXPENSES	350	.00	350.00	.00	.00	350.00	.0%
TOTAL TOWN COUNCIL	7,656	.00	7,656.00	4,093.40	.00	3,562.60	53.5%
101130 ELECTIONS							
101130 64020 PART TIME SALARIES/VO	2,000	.00	2,000.00	2,569.00	.00	-569.00	128.5%*
101130 64060 FICA EMPLOYER SHARE	153	.00	153.00	23.15	.00	129.85	15.1%
101130 65000 ELECTIONS EXPENSES	0	1,000.00	1,000.00	707.57	.00	292.43	70.8%
101130 65010 POSTAGE	600	.00	600.00	321.93	.00	278.07	53.7%
101130 65060 PRINTING	3,500	.00	3,500.00	10,458.44	.00	-6,958.44	298.8%*
101130 65480 OTHER PROFESSIONAL SE	4,050	.00	4,050.00	1,377.51	.00	2,672.49	34.0%
101130 66010 OFFICE SUPPLIES	150	.00	150.00	54.95	.00	95.05	36.6%
TOTAL ELECTIONS	10,453	1,000.00	11,453.00	15,512.55	.00	-4,059.55	135.4%
101150 COUNTY TAX							
101150 65480 OTHER PROF SERVICES -	934,420	.00	934,420.00	930,931.37	.00	3,488.63	99.6%
TOTAL COUNTY TAX	934,420	.00	934,420.00	930,931.37	.00	3,488.63	99.6%
101155 TAX INCREMENT FINANCING							
101155 65000 TIF FINANCING PLAN AM	60,901	.00	60,901.00	60,901.00	.00	.00	100.0%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 3
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL TAX INCREMENT FINANCING	60,901	.00	60,901.00	60,901.00	.00	.00	100.0%
101160 OVERLAY							
101160 65480 OTHER PROF SERV - OVE	64,990	.00	64,990.00	.00	.00	64,990.00	.0%
TOTAL OVERLAY	64,990	.00	64,990.00	.00	.00	64,990.00	.0%
101210 ASSESSING							
101210 64010 DEVELOPMENT STAFF CLE	15,051	.00	15,051.00	14,193.75	.00	857.25	94.3%
101210 64051 ICMA EMPLOYER SHARE	0	.00	.00	1,338.12	.00	-1,338.12	100.0%*
101210 64060 FICA EMPLOYER SHARE	1,151	.00	1,151.00	1,149.45	.00	1.55	99.9%
101210 64070 WORKERS COMPENSATION	0	.00	.00	2,241.84	.00	-2,241.84	100.0%*
101210 64090 MAJOR MEDICAL INSURAN	0	.00	.00	2,917.20	.00	-2,917.20	100.0%*
101210 65010 POSTAGE	400	.00	400.00	665.40	.00	-265.40	166.4%*
101210 65030 TRANSPORTATION	250	.00	250.00	250.00	.00	.00	100.0%
101210 65040 EDUCATIONAL/MEETING E	500	.00	500.00	500.00	.00	.00	100.0%
101210 65060 PRINTING	300	.00	300.00	.00	.00	300.00	.0%
101210 65070 MAPS	5,000	.00	5,000.00	5,165.25	.00	-165.25	103.3%*
101210 65410 COMPUTER SERVICES	8,000	.00	8,000.00	6,595.00	.00	1,405.00	82.4%
101210 65411 BOARD OF ASSESSMENT R	200	.00	200.00	65.00	.00	135.00	32.5%
101210 65423 PERSONAL PROPERTY EVA	10,000	.00	10,000.00	10,000.00	.00	.00	100.0%
101210 65425 VISION INTERNET	2,750	.00	2,750.00	2,250.00	.00	500.00	81.8%
101210 65480 OTHER PROFESSIONAL SE	98,850	.00	98,850.00	98,513.45	.00	336.55	99.7%
101210 66010 OFFICE SUPPLIES	100	.00	100.00	239.10	.00	-139.10	239.1%*
101210 66020 BOOKS/SUBSCRIPTIONS	200	.00	200.00	.00	.00	200.00	.0%
101210 66035 ABSTRACTS & LIENS TRA	750	.00	750.00	1,063.83	.00	-313.83	141.8%*
TOTAL ASSESSING	143,502	.00	143,502.00	147,147.39	.00	-3,645.39	102.5%
101230 DEBT & INTEREST							
101230 68057 RUSTLEWOOD FARM - PRI	0	.00	.00	6,126.87	.00	-6,126.87	100.0%*
101230 68065 2006 FIRE STATION BON	125,000	.00	125,000.00	125,000.00	.00	.00	100.0%
101230 68066 2010 PW SALT SHED GO	35,000	.00	35,000.00	35,000.00	.00	.00	100.0%
101230 68067 2012 KCC BOND PRINC	275,000	.00	275,000.00	275,000.00	.00	.00	100.0%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 4
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101230 68068 2015 CIP BOND PRINCIP	225,000	.00	225,000.00	225,000.00	.00	.00	100.0%
101230 68069 KLT BRAVE BOAT HEADWA	0	.00	.00	11,351.62	.00	-11,351.62	100.0%*
101230 68257 RUSTLEWOOD FARM INTER	0	.00	.00	4,187.82	.00	-4,187.82	100.0%*
101230 68265 2006 FIRE STATION BON	48,488	.00	48,488.00	22,100.00	.00	26,388.00	45.6%
101230 68268 2015 CIP BONDS INTERE	38,250	.00	38,250.00	38,250.00	.00	.00	100.0%
101230 68269 KLT BRAVE BOAT HEADWA	0	.00	.00	6,738.03	.00	-6,738.03	100.0%*
101230 68295 PWD BLDG/SALT SHED BO	15,975	.00	15,975.00	15,975.00	.00	.00	100.0%
101230 68297 2012 KCC BOND INT	99,275	.00	99,275.00	99,275.00	.00	.00	100.0%
TOTAL DEBT & INTEREST	861,988	.00	861,988.00	864,004.34	.00	-2,016.34	100.2%
101310 POLICE							
101310 64002 POLICE CHIEF FT SALA	97,390	.00	97,390.00	97,919.32	.00	-529.32	100.5%*
101310 64012 SERGEANTS SALARIES	297,245	.00	297,245.00	297,641.13	.00	-396.13	100.1%*
101310 64013 SCHOOL RESOURCE OFFIC	61,565	.00	61,565.00	59,382.23	.00	2,182.77	96.5%
101310 64014 DETECTIVES SALARIES	133,464	.00	133,464.00	130,680.86	.00	2,783.14	97.9%
101310 64015 PATROLMEN SALARIES	652,886	.00	652,886.00	658,524.95	.00	-5,638.95	100.9%*
101310 64016 DISPATCHER SALARIES	295,826	.00	295,826.00	290,391.30	.00	5,434.70	98.2%
101310 64017 ADMINISTRATIVE ASSIST	43,950	.00	43,950.00	45,154.09	.00	-1,204.09	102.7%*
101310 64022 ANIMAL CONTROL OFFICE	30,160	.00	30,160.00	30,903.50	.00	-743.50	102.5%*
101310 64023 LIEUTENANT SALARY	72,500	.00	72,500.00	73,912.86	.00	-1,412.86	101.9%*
101310 64024 NIGHT DIFFERENTIAL	14,728	.00	14,728.00	15,352.47	.00	-624.47	104.2%*
101310 64027 CUSTODIAN WAGES	13,104	.00	13,104.00	13,053.85	.00	50.15	99.6%
101310 64030 OVERTIME	160,000	.00	160,000.00	173,064.87	.00	-13,064.87	108.2%*
101310 64032 DEA OVERTIME	22,000	.00	22,000.00	20,771.70	.00	1,228.30	94.4%
101310 64033 SICK TIME BUY BACK	2,485	.00	2,485.00	1,906.80	.00	578.20	76.7%
101310 64035 OUTSIDE DETAIL	4,956	.00	4,956.00	3,565.47	.00	1,390.53	71.9%
101310 64050 MAINE STATE RETIREMEN	220,200	.00	220,200.00	242,599.19	.00	-22,399.19	110.2%*
101310 64051 ICMA EMPLOYER SHARE	10,572	.00	10,572.00	10,419.46	.00	152.54	98.6%
101310 64060 FICA EMPLOYER SHARE	145,523	.00	145,523.00	142,474.06	.00	3,048.94	97.9%
101310 64070 WORKERS COMPENSATION	55,500	.00	55,500.00	49,809.13	.00	5,690.87	89.7%
101310 64090 MAJOR MEDICAL INSURAN	411,713	.00	411,713.00	402,473.53	.00	9,239.47	97.8%
101310 64091 DENTAL INSURANCE	2,762	.00	2,762.00	3,113.16	.00	-351.16	112.7%*
101310 64092 DISABILITY INSURANCE	8,832	.00	8,832.00	7,906.92	.00	925.08	89.5%
101310 65010 POSTAGE	500	.00	500.00	553.00	.00	-53.00	110.6%*
101310 65020 TELEPHONE & INTERNET	19,209	.00	19,209.00	20,306.90	.00	-1,097.90	105.7%*
101310 65030 TRANSPORTATION	1,800	.00	1,800.00	2,202.00	.00	-402.00	122.3%*
101310 65040 EDUCATIONAL/MEETING E	14,000	.00	14,000.00	10,021.09	.00	3,978.91	71.6%
101310 65060 PRINTING	600	.00	600.00	850.98	.00	-250.98	141.8%*
101310 65080 LEGAL NOTICES/OTHER A	380	.00	380.00	424.64	.00	-44.64	111.7%*
101310 65200 ELECTRICITY	15,000	.00	15,000.00	16,232.87	.00	-1,232.87	108.2%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 5
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101310 65220 WATER	530	.00	530.00	423.20	.00	106.80	79.8%
101310 65230 FUEL OIL	5,400	.00	5,400.00	6,162.64	.00	-762.64	114.1%*
101310 65240 DUMPSTERS	750	.00	750.00	782.60	.00	-32.60	104.3%*
101310 65250 SEWER	240	.00	240.00	320.00	.00	-80.00	133.3%*
101310 65300 MACHINE & EQUIPMENT M	34,656	.00	34,656.00	34,273.29	.00	382.71	98.9%
101310 65310 VEHICLE MAINTENANCE	32,738	.00	32,738.00	21,540.42	.00	11,197.58	65.8%
101310 65311 GAS, GREASE, & OIL	42,356	.00	42,356.00	33,662.73	.00	8,693.27	79.5%
101310 65470 DOG EXPENSE	600	.00	600.00	780.00	.00	-180.00	130.0%*
101310 65480 OTHER PROFESSIONAL SE	625	.00	625.00	3,934.50	.00	-3,309.50	629.5%*
101310 65500 MAINTENANCE OF BLDG/G	4,400	.00	4,400.00	2,284.53	.00	2,115.47	51.9%
101310 65521 UNIFORMS	17,000	.00	17,000.00	16,334.85	.00	665.15	96.1%
101310 66010 OFFICE SUPPLIES	4,000	.00	4,000.00	2,572.10	.00	1,427.90	64.3%
101310 66020 BOOKS/SUBSCRIPTIONS	1,555	.00	1,555.00	2,652.70	.00	-1,097.70	170.6%*
101310 66030 OTHER SUPPLIES	2,200	.00	2,200.00	4,559.99	.00	-2,359.99	207.3%*
101310 66032 ARMORY SUPPLIES	8,500	.00	8,500.00	7,568.61	.00	931.39	89.0%
101310 66040 JANITORIAL SUPPLIES &	1,200	.00	1,200.00	1,659.55	.00	-459.55	138.3%*
101310 67510 OFFICE FURNITURE & EQ	1,000	.00	1,000.00	832.99	.00	167.01	83.3%
101310 67517 BULLET PROOF VESTS	9,400	.00	9,400.00	5,692.07	.00	3,707.93	60.6%
TOTAL POLICE	2,976,000	.00	2,976,000.00	2,967,649.10	.00	8,350.90	99.7%
101320 FIRE							
101320 64003 FIRE CHIEF SALARY	52,788	.00	52,788.00	53,634.55	.00	-846.55	101.6%*
101320 64020 PART TIME SALARIES	132,318	.00	132,318.00	128,632.21	.00	3,685.79	97.2%
101320 64060 FICA EMPLOYER SHARE	14,161	.00	14,161.00	13,943.48	.00	217.52	98.5%
101320 64070 WORKERS COMPENSATION	15,562	.00	15,562.00	17,473.92	.00	-1,911.92	112.3%*
101320 64095 ACCIDENT & HEALTH	1,938	.00	1,938.00	1,938.00	.00	.00	100.0%
101320 65010 POSTAGE	0	.00	.00	5.96	.00	-5.96	100.0%*
101320 65020 TELEPHONE & INTERNET	7,680	.00	7,680.00	8,630.44	.00	-950.44	112.4%*
101320 65040 EDUCATIONAL/MEETING E	2,034	.00	2,034.00	1,409.40	.00	624.60	69.3%
101320 65045 TRAINING	5,000	.00	5,000.00	600.24	.00	4,399.76	12.0%
101320 65046 HEALTH/PHYSICAL	2,778	.00	2,778.00	1,200.00	.00	1,578.00	43.2%
101320 65080 LEGAL NOTICES/OTHER A	0	.00	.00	102.57	.00	-102.57	100.0%*
101320 65200 ELECTRICITY	10,091	.00	10,091.00	9,888.82	.00	202.18	98.0%
101320 65220 WATER	293	.00	293.00	293.20	.00	-.20	100.1%*
101320 65230 FUEL OIL	20,000	.00	20,000.00	18,523.83	.00	1,476.17	92.6%
101320 65250 SEWER	300	.00	300.00	300.00	.00	.00	100.0%
101320 65300 MACHINE & EQUIPMENT M	24,529	.00	24,529.00	37,336.77	.00	-12,807.77	152.2%*
101320 65302 PROTECTIVE & SAFETY E	2,892	.00	2,892.00	1,958.49	.00	933.51	67.7%
101320 65311 GAS, GREASE, & OIL	7,250	.00	7,250.00	5,709.82	.00	1,540.18	78.8%
101320 65330 RADIO MAINTENANCE	5,907	.00	5,907.00	2,070.00	.00	3,837.00	35.0%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 6
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101320 65480 OTHER PROFESSIONAL SE	7,016	.00	7,016.00	7,484.28	.00	-468.28	106.7%*
101320 65500 MAINTENANCE OF BLDG/G	15,120	.00	15,120.00	10,797.61	.00	4,322.39	71.4%
101320 66010 OFFICE SUPPLIES	672	.00	672.00	603.34	.00	68.66	89.8%
101320 66020 BOOKS/SUBSCRIPTIONS/D	200	.00	200.00	.00	.00	200.00	.0%
101320 66040 JANITORIAL SUPPLIES &	600	.00	600.00	531.23	.00	68.77	88.5%
101320 67505 EXTINGUISHER MAINTENA	300	.00	300.00	713.75	.00	-413.75	237.9%*
101320 67515 LANTERNS & BATTERIES	200	.00	200.00	42.40	.00	157.60	21.2%
101320 67520 OPERATING EQUIPMENT	4,000	.00	4,000.00	5,644.89	.00	-1,644.89	141.1%*
TOTAL FIRE	333,629	.00	333,629.00	329,469.20	.00	4,159.80	98.8%
<hr/> 101330 STREETLIGHTS							
101330 65200 ELECTRICITY - STREETL	120,000	.00	120,000.00	112,011.49	.00	7,988.51	93.3%
101330 65300 MACHINE & EQUIPMENT M	10,000	.00	10,000.00	14,033.00	.00	-4,033.00	140.3%*
101330 67500 STREETLIGHTING CAPITA	0	.00	.00	1,136.00	.00	-1,136.00	100.0%*
TOTAL STREETLIGHTS	130,000	.00	130,000.00	127,180.49	.00	2,819.51	97.8%
<hr/> 101340 HYDRANT RENTALS							
101340 65300 HYDRANT RENT MACHINE	254,179	.00	254,179.00	254,179.30	.00	-.30	100.0%*
TOTAL HYDRANT RENTALS	254,179	.00	254,179.00	254,179.30	.00	-.30	100.0%
<hr/> 101350 CIVIL EMERGENCY PREPARDNESS							
101350 65020 TELEPHONE & INTERNET	300	.00	300.00	.00	.00	300.00	.0%
101350 65060 PRINTING	300	.00	300.00	.00	.00	300.00	.0%
101350 66010 OFFICE SUPPLIES	100	.00	100.00	.00	.00	100.00	.0%
TOTAL CIVIL EMERGENCY PREPARDN	700	.00	700.00	.00	.00	700.00	.0%
<hr/> 101410 HIGHWAY							
101410 64004 HIGHWAY 35% COMM SALA	26,250	.00	26,250.00	26,957.90	.00	-707.90	102.7%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 7
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101410 64010 FULL TIME SALARIES	437,884	.00	437,884.00	455,825.18	.00	-17,941.18	104.1%*
101410 64015 ADMINISTRATIVE ASSIST	46,322	.00	46,322.00	47,586.45	.00	-1,264.45	102.7%*
101410 64020 PART TIME WAGES	49,608	.00	49,608.00	28,512.19	.00	21,095.81	57.5%
101410 64029 OVERTIME - SNOW & STO	70,000	.00	70,000.00	68,890.93	.00	1,109.07	98.4%
101410 64030 OVERTIME	5,500	.00	5,500.00	6,780.92	.00	-1,280.92	123.3%*
101410 64050 MAINE STATE RETIREMEN	56,207	.00	56,207.00	60,800.05	.00	-4,593.05	108.2%*
101410 64060 FICA EMPLOYER SHARE	48,621	.00	48,621.00	46,382.64	.00	2,238.36	95.4%
101410 64070 WORKERS COMPENSATION	49,927	.00	49,927.00	40,254.47	.00	9,672.53	80.6%
101410 64090 MAJOR MEDICAL INSURAN	139,358	.00	139,358.00	158,255.85	.00	-18,897.85	113.6%*
101410 64091 DENTAL INSURANCE	1,079	.00	1,079.00	851.70	.00	227.30	78.9%
101410 64092 DISABILITY INSURANCE	4,608	.00	4,608.00	5,443.41	.00	-835.41	118.1%*
101410 65010 POSTAGE	500	.00	500.00	170.60	.00	329.40	34.1%
101410 65020 TELEPHONE & INTERNET	4,000	.00	4,000.00	4,064.73	.00	-64.73	101.6%*
101410 65030 TRANSPORTATION	750	.00	750.00	519.00	.00	231.00	69.2%
101410 65040 EDUCATIONAL/MEETING E	5,000	.00	5,000.00	1,242.79	.00	3,757.21	24.9%
101410 65060 PRINTING	600	.00	600.00	544.03	.00	55.97	90.7%
101410 65080 LEGAL NOTICES/OTHER A	1,000	.00	1,000.00	770.43	.00	229.57	77.0%
101410 65200 ELECTRICITY	4,000	.00	4,000.00	5,851.23	.00	-1,851.23	146.3%*
101410 65220 WATER	2,000	.00	2,000.00	1,420.99	.00	579.01	71.0%
101410 65230 FUEL OIL	7,000	.00	7,000.00	6,659.39	.00	340.61	95.1%
101410 65250 SEWER	350	.00	350.00	300.00	.00	50.00	85.7%
101410 65300 MACHINE & EQUIPMENT M	18,000	.00	18,000.00	13,283.15	.00	4,716.85	73.8%
101410 65302 PROTECTIVE & SAFETY E	2,500	.00	2,500.00	3,650.33	.00	-1,150.33	146.0%*
101410 65303 FACILITY SAFETY INSPE	1,250	.00	1,250.00	1,245.24	.00	4.76	99.6%
101410 65310 VEHICLE MAINTENANCE	16,000	.00	16,000.00	17,082.28	.00	-1,082.28	106.8%*
101410 65311 GAS, GREASE, & OIL	48,600	.00	48,600.00	42,684.38	.00	5,915.62	87.8%
101410 65312 TIRES & TUBES	8,000	.00	8,000.00	7,915.86	.00	84.14	98.9%
101410 65450 TARRING & PATCHING	6,000	.00	6,000.00	10,639.29	.00	-4,639.29	177.3%*
101410 65452 SALT	110,000	.00	110,000.00	203,030.12	.00	-93,030.12	184.6%*
101410 65454 SAND	2,100	.00	2,100.00	1,680.00	.00	420.00	80.0%
101410 65456 GRAVEL & FILL	5,000	.00	5,000.00	.00	.00	5,000.00	.0%
101410 65458 DRAINAGE SUPPLIES	5,000	.00	5,000.00	6,639.36	.00	-1,639.36	132.8%*
101410 65460 SIGNS	10,000	.00	10,000.00	9,639.56	.00	360.44	96.4%
101410 65462 STRIPING	30,000	.00	30,000.00	29,054.57	.00	945.43	96.8%
101410 65466 SNOW REMOVAL EQUIP/PA	18,300	.00	18,300.00	18,753.27	.00	-453.27	102.5%*
101410 65480 OTHER PROFESSIONAL SE	25,000	.00	25,000.00	13,235.48	.00	11,764.52	52.9%
101410 65500 MAINTENANCE OF BLDG/G	3,000	.00	3,000.00	6,064.63	.00	-3,064.63	202.2%*
101410 65521 UNIFORMS	4,400	.00	4,400.00	3,600.00	.00	800.00	81.8%
101410 65522 C.D.L PROGRAMS	950	.00	950.00	718.24	.00	231.76	75.6%
101410 66009 SHOP SUPPLIES	13,000	.00	13,000.00	13,609.90	.00	-609.90	104.7%*
101410 66010 OFFICE SUPPLIES	800	.00	800.00	548.34	.00	251.66	68.5%
101410 66011 HAND TOOLS	600	.00	600.00	1,040.04	.00	-440.04	173.3%*
101410 66020 BOOKS/SUBSCRIPTIONS	600	.00	600.00	497.28	.00	102.72	82.9%
101410 66030 OTHER SUPPLIES	400	.00	400.00	127.87	.00	272.13	32.0%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 8
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101410 66040 JANITORIAL SUPPLIES &	6,000	.00	6,000.00	7,371.08	.00	-1,371.08	122.9%*
101410 67514 PLANT EQUIPMENT	1,000	.00	1,000.00	698.00	.00	302.00	69.8%
101410 67518 RENTAL EQUIPMENT	3,000	.00	3,000.00	698.85	.00	2,301.15	23.3%
101410 67520 OPERATING EQUIPMENT	1,500	.00	1,500.00	1,367.95	.00	132.05	91.2%
101410 67540 IMPROVEMENTS TO BLDGS	2,000	.00	2,000.00	2,162.74	.00	-162.74	108.1%*
TOTAL HIGHWAY	1,303,564	.00	1,303,564.00	1,385,122.69	.00	-81,558.69	106.3%
101520 GENERAL ASSISTANCE							
101520 65480 OTHER PROF SERVICES-W	50,000	.00	50,000.00	47,976.05	.00	2,023.95	96.0%
TOTAL GENERAL ASSISTANCE	50,000	.00	50,000.00	47,976.05	.00	2,023.95	96.0%
101530 PUBLIC HEALTH SERVICE							
101530 64020 PART TIME SALARIES	520	.00	520.00	520.00	.00	.00	100.0%
101530 64051 ICMA EMPLOYER SHARE	31	.00	31.00	31.20	.00	-.20	100.6%*
101530 64060 FICA EMPLOYER SHARE	40	.00	40.00	40.54	.00	-.54	101.4%*
TOTAL PUBLIC HEALTH SERVICE	591	.00	591.00	591.74	.00	-.74	100.1%
101540 COMMUNITY AGENCIES							
101540 65479 FAIR TIDE	1,600	.00	1,600.00	1,600.00	.00	.00	100.0%
101540 65482 AIDS RESPONSE SEACOAS	965	.00	965.00	965.00	.00	.00	100.0%
101540 65483 AMERICAN RED CROSS	500	.00	500.00	500.00	.00	.00	100.0%
101540 65487 CARING UNLIMITED	1,000	.00	1,000.00	1,000.00	.00	.00	100.0%
101540 65492 YORK COUNTY COMMUNITY	2,500	.00	2,500.00	2,500.00	.00	.00	100.0%
101540 65496 YORK COUNTY SHELTERS	500	.00	500.00	.00	.00	500.00	.0%
101540 65497 SO MAINE AREA AGENCY	1,300	.00	1,300.00	1,300.00	.00	.00	100.0%
101540 65499 CROSSROADS HOUSE, INC	2,000	.00	2,000.00	2,000.00	.00	.00	100.0%
101540 65526 GARDEN CLUB	300	.00	300.00	.00	.00	300.00	.0%
101540 65527 MAINE PUBLIC	100	.00	100.00	.00	.00	100.00	.0%
101540 65528 SO. MAINE VET MEM CEM	1,000	.00	1,000.00	1,000.00	.00	.00	100.0%
TOTAL COMMUNITY AGENCIES	11,765	.00	11,765.00	10,865.00	.00	900.00	92.4%
101720 PLANNING BOARD & BOA							
101720 65010 POSTAGE	500	.00	500.00	102.27	.00	397.73	20.5%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 9
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101720 65040 EDUCATIONAL/MEETING E	1,750	.00	1,750.00	750.00	.00	1,000.00	42.9%
101720 65060 PRINTING	500	.00	500.00	.00	.00	500.00	.0%
101720 65080 LEGAL NOTICES & OTHER	1,500	.00	1,500.00	326.09	.00	1,173.91	21.7%
101720 65480 OTHER PROFESSIONAL SE	7,300	.00	7,300.00	2,421.44	.00	4,878.56	33.2%
101720 66010 OFFICE SUPPLIES	225	.00	225.00	71.93	.00	153.07	32.0%
101720 66026 SMRPC MEMBERSHIP	4,562	.00	4,562.00	4,562.00	.00	.00	100.0%
TOTAL PLANNING BOARD & BOA	16,337	.00	16,337.00	8,233.73	.00	8,103.27	50.4%
101721 PLANNING / CODE							
101721 64005 CODE ENFORCEMENT SALA	62,546	.00	62,546.00	63,770.98	.00	-1,224.98	102.0%*
101721 64006 PLANNER SALARY	75,254	.00	75,254.00	94,269.74	.00	-19,015.74	125.3%*
101721 64010 DEVELOPMENT STAFF CLE	22,576	.00	22,576.00	24,167.90	.00	-1,591.90	107.1%*
101721 64017 ASSISTANT PLANNER	46,280	.00	46,280.00	18,310.95	.00	27,969.05	39.6%
101721 64018 ASST CODE ENFORCEMENT	49,057	.00	49,057.00	50,026.05	.00	-969.05	102.0%*
101721 64020 SHORELAND RESOURCE OF	18,512	.00	18,512.00	18,711.40	.00	-199.40	101.1%*
101721 64030 OVERTIME	800	.00	800.00	1,468.54	.00	-668.54	183.6%*
101721 64050 MAINE STATE RETIREMEN	6,487	.00	6,487.00	8,273.95	.00	-1,786.95	127.5%*
101721 64051 ICMA EMPLOYER SHARE	13,302	.00	13,302.00	9,042.16	.00	4,259.84	68.0%
101721 64060 FICA EMPLOYER SHARE	21,039	.00	21,039.00	20,412.72	.00	626.28	97.0%
101721 64070 WORKERS COMPENSATION	3,785	.00	3,785.00	3,071.78	.00	713.22	81.2%
101721 64090 MAJOR MEDICAL INSURAN	84,491	.00	84,491.00	65,072.63	.00	19,418.37	77.0%
101721 64091 DENTAL INSURANCE	1,198	.00	1,198.00	963.72	.00	234.28	80.4%
101721 64092 DISABILITY INSURANCE	1,920	.00	1,920.00	1,740.41	.00	179.59	90.6%
101721 65010 POSTAGE	125	.00	125.00	195.08	.00	-70.08	156.1%*
101721 65020 TELEPHONE & INTERNET	1,320	.00	1,320.00	1,153.83	.00	166.17	87.4%
101721 65030 TRANSPORTATION	1,100	.00	1,100.00	.00	.00	1,100.00	.0%
101721 65040 EDUCATIONAL/MEETING E	2,350	.00	2,350.00	105.00	.00	2,245.00	4.5%
101721 65060 PRINTING	600	.00	600.00	367.97	.00	232.03	61.3%
101721 65080 LEGAL NOTICES & OTHER	0	.00	.00	300.00	.00	-300.00	100.0%*
101721 65300 MACHINE & EQUIPMENT M	0	.00	.00	3,686.21	.00	-3,686.21	100.0%*
101721 65310 VEHICLE MAINTENANCE	500	.00	500.00	.00	.00	500.00	.0%
101721 65311 GAS, GREASE, & OIL	600	.00	600.00	406.49	.00	193.51	67.7%
101721 65400 LEGAL SERVICES	10,000	.00	10,000.00	4,870.00	.00	5,130.00	48.7%
101721 65480 OTHER PROFESSIONAL SE	5,000	.00	5,000.00	27,020.99	.00	-22,020.99	540.4%*
101721 65521 UNIFORMS	450	.00	450.00	221.19	.00	228.81	49.2%
101721 66010 OFFICE SUPPLIES	1,000	.00	1,000.00	1,016.78	.00	-16.78	101.7%*
101721 66020 BOOKS/SUBSCRIPTIONS/D	900	.00	900.00	105.00	.00	795.00	11.7%
101721 66030 OTHER SUPPLIES	500	.00	500.00	170.43	.00	329.57	34.1%
101721 67510 OFFICE FURNITURE & EQ	500	.00	500.00	.00	.00	500.00	.0%
TOTAL PLANNING / CODE	432,192	.00	432,192.00	418,921.90	.00	13,270.10	96.9%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 10
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101730 IN TOWN PARKS							
101730 64007 PARKS 10% COMM SALARY	7,500	.00	7,500.00	7,702.24	.00	-202.24	102.7%*
101730 64010 FULL TIME SALARIES	44,278	.00	44,278.00	44,660.38	.00	-382.38	100.9%*
101730 64020 PART TIME SALARIES	28,080	.00	28,080.00	26,685.82	.00	1,394.18	95.0%
101730 64030 OVERTIME	800	.00	800.00	1,128.78	.00	-328.78	141.1%*
101730 64050 MAINE STATE RETIREMEN	4,251	.00	4,251.00	5,082.18	.00	-831.18	119.6%*
101730 64060 FICA EMPLOYER SHARE	6,170	.00	6,170.00	5,858.25	.00	311.75	94.9%
101730 64070 WORKERS COMPENSATION	2,664	.00	2,664.00	2,922.47	.00	-258.47	109.7%*
101730 64090 MAJOR MEDICAL INSURAN	19,291	.00	19,291.00	22,097.60	.00	-2,806.60	114.5%*
101730 64091 DENTAL INSURANCE	79	.00	79.00	41.04	.00	37.96	51.9%
101730 64092 DISABILITY INSURANCE	444	.00	444.00	444.36	.00	-.36	100.1%*
101730 65040 EDUCATIONAL/MEETING E	200	.00	200.00	.00	.00	200.00	.0%
101730 65060 PRINTING	200	.00	200.00	.00	.00	200.00	.0%
101730 65080 LEGAL NOTICES/OTHER A	250	.00	250.00	.00	.00	250.00	.0%
101730 65200 ELECTRICITY	1,500	.00	1,500.00	1,014.48	.00	485.52	67.6%
101730 65220 WATER	7,000	.00	7,000.00	3,283.38	.00	3,716.62	46.9%
101730 65300 MACHINE & EQUIPMENT M	2,000	.00	2,000.00	1,443.49	.00	556.51	72.2%
101730 65302 PROTECTIVE & SAFETY E	250	.00	250.00	233.26	.00	16.74	93.3%
101730 65303 FACILITY SAFETY INSPE	625	.00	625.00	240.75	.00	384.25	38.5%
101730 65310 VEHICLE MAINTENANCE	1,000	.00	1,000.00	597.95	.00	402.05	59.8%
101730 65311 GAS, GREASE, & OIL	4,000	.00	4,000.00	2,023.57	.00	1,976.43	50.6%
101730 65312 TIRES & TUBES	1,000	.00	1,000.00	701.86	.00	298.14	70.2%
101730 65457 LOAM & SOD	3,000	.00	3,000.00	1,851.83	.00	1,148.17	61.7%
101730 65480 OTHER PROFESSIONAL SE	25,000	.00	25,000.00	21,057.01	.00	3,942.99	84.2%
101730 65500 MAINTENANCE OF BLDG/G	1,000	.00	1,000.00	599.98	.00	400.02	60.0%
101730 65521 UNIFORMS	400	.00	400.00	400.00	.00	.00	100.0%
101730 66011 HAND TOOLS	150	.00	150.00	76.37	.00	73.63	50.9%
101730 66030 OTHER SUPPLIES	100	.00	100.00	113.76	.00	-13.76	113.8%*
101730 66040 JANITORIAL SUPPLIES &	100	.00	100.00	.00	.00	100.00	.0%
101730 67520 OPERATING EQUIPMENT	1,000	.00	1,000.00	1,141.89	.00	-141.89	114.2%*
TOTAL IN TOWN PARKS	162,332	.00	162,332.00	151,402.70	.00	10,929.30	93.3%
101735 FT FOSTER SEAPOINT & CRESCENT							
101735 64007 PARKS 15% COMM SALARY	11,250	.00	11,250.00	11,553.45	.00	-303.45	102.7%*
101735 64010 FULL TIME SALARIES	48,366	.00	48,366.00	48,792.83	.00	-426.83	100.9%*
101735 64020 PART TIME SALARIES	54,014	.00	54,014.00	42,981.85	.00	11,032.15	79.6%
101735 64030 OVERTIME	6,500	.00	6,500.00	1,591.84	.00	4,908.16	24.5%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 11
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101735 64050 MAINE STATE RETIREMEN	4,643	.00	4,643.00	5,937.75	.00	-1,294.75	127.9%*
101735 64060 FICA EMPLOYER SHARE	9,190	.00	9,190.00	7,846.69	.00	1,343.31	85.4%
101735 64070 WORKERS COMPENSATION	2,664	.00	2,664.00	2,666.37	.00	-2.37	100.1%*
101735 64090 MAJOR MEDICAL INSURAN	23,575	.00	23,575.00	19,013.58	.00	4,561.42	80.7%
101735 64091 DENTAL INSURANCE	187	.00	187.00	61.49	.00	125.51	32.9%
101735 64092 DISABILITY INSURANCE	444	.00	444.00	444.36	.00	-.36	100.1%*
101735 65020 TELEPHONE & INTERNET	1,400	.00	1,400.00	1,343.61	.00	56.39	96.0%
101735 65040 EDUCATIONAL/MEETING E	200	.00	200.00	.00	.00	200.00	.0%
101735 65060 PRINTING	2,500	.00	2,500.00	3,406.49	.00	-906.49	136.3%*
101735 65080 LEGAL NOTICES/OTHER A	500	.00	500.00	.00	.00	500.00	.0%
101735 65200 ELECTRICITY	500	.00	500.00	284.11	.00	215.89	56.8%
101735 65220 WATER	600	.00	600.00	.00	.00	600.00	.0%
101735 65300 MACHINE & EQUIPMENT M	1,500	.00	1,500.00	152.30	.00	1,347.70	10.2%
101735 65302 PROTECTIVE & SAFETY E	300	.00	300.00	626.27	.00	-326.27	208.8%*
101735 65303 FACILITY SAFETY INSPE	625	.00	625.00	418.75	.00	206.25	67.0%
101735 65310 VEHICLE MAINTENANCE	1,000	.00	1,000.00	672.11	.00	327.89	67.2%
101735 65311 GAS, GREASE, & OIL	4,000	.00	4,000.00	802.41	.00	3,197.59	20.1%
101735 65312 TIRES & TUBES	700	.00	700.00	700.00	.00	.00	100.0%
101735 65480 OTHER PROFESSIONAL SE	4,000	.00	4,000.00	1,439.50	.00	2,560.50	36.0%
101735 65500 MAINTENANCE OF BLDG/G	4,500	.00	4,500.00	1,836.63	.00	2,663.37	40.8%
101735 65510 PAINTING	400	.00	400.00	450.00	.00	-50.00	112.5%*
101735 65521 UNIFORMS	700	.00	700.00	400.00	.00	300.00	57.1%
101735 66011 HAND TOOLS	150	.00	150.00	179.84	.00	-29.84	119.9%*
101735 66030 OTHER SUPPLIES	900	.00	900.00	135.02	.00	764.98	15.0%
101735 66040 JANITORIAL SUPPLIES &	3,750	.00	3,750.00	3,449.25	.00	300.75	92.0%
101735 67520 OPERATING EQUIPMENT	1,200	.00	1,200.00	1,198.99	.00	1.01	99.9%
101735 67575 SEAPOINT BEACH	200	.00	200.00	.00	.00	200.00	.0%
TOTAL FT FOSTER SEAPOINT & CRE	190,458	.00	190,458.00	158,385.49	.00	32,072.51	83.2%

101740 MISCELLANEOUS ACCOUNTS

101740 65023 EPA STORMWATER 4 PROG	18,750	.00	18,750.00	17,838.94	.00	911.06	95.1%
101740 65025 COMPUTER REPAIR/REPLA	25,000	.00	25,000.00	38,300.05	.00	-13,300.05	153.2%*
101740 65455 MEMORIAL DAY ACTIVITI	675	.00	675.00	732.00	.00	-57.00	108.4%*
101740 65951 SHELLFISH CONSERVATIO	1,600	.00	1,600.00	650.00	.00	950.00	40.6%
101740 66036 CONSERVATION COMMISSI	500	.00	500.00	165.00	.00	335.00	33.0%
101740 68427 SELF INSURANCE CLAIMS	0	13,000.00	13,000.00	9,049.00	.00	3,951.00	69.6%
101740 68428 GRANT MATCHING FUNDS	0	10,000.00	10,000.00	10,000.00	.00	.00	100.0%
101740 68525 MOSQUITO/TICK CONTROL	30,000	.00	30,000.00	37,687.85	.00	-7,687.85	125.6%*
101740 68532 GIS WEB ACCOUNT	3,600	.00	3,600.00	2,700.00	.00	900.00	75.0%
101740 69200 PSAP PAID TO YORK PD	27,000	.00	27,000.00	26,067.50	.00	932.50	96.5%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 12
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL MISCELLANEOUS ACCOUNTS	107,125	23,000.00	130,125.00	143,190.34	.00	-13,065.34	110.0%
101750 STATE/BANK FEES							
101750 65952 OVERAGE/SHORTAGE	0	.00	.00	-19.80	.00	19.80	100.0%
101750 65954 BANK FEES/CHARGES	600	.00	600.00	-30.00	.00	630.00	-5.0%
TOTAL STATE/BANK FEES	600	.00	600.00	-49.80	.00	649.80	-8.3%
101760 CAPITAL IMPROVEMENT PLAN							
101760 68750 CIP HOLDING DEDICATED	434,750	.00	434,750.00	434,750.00	.00	.00	100.0%
101760 68751 CIP DEPT CAPITAL RESE	967,167	.00	967,167.00	967,167.00	.00	.00	100.0%
101760 68752 CIP CAP FUNDING REQUE	107,386	.00	107,386.00	107,386.00	.00	.00	100.0%
TOTAL CAPITAL IMPROVEMENT PLAN	1,509,303	.00	1,509,303.00	1,509,303.00	.00	.00	100.0%
101810 LIBRARY							
101810 65480 OTHER PROF SERV - RIC	467,380	.00	467,380.00	467,380.00	.00	.00	100.0%
TOTAL LIBRARY	467,380	.00	467,380.00	467,380.00	.00	.00	100.0%
101830 RECREATION							
101830 64008 RECREATION DIRECTOR S	78,561	.00	78,561.00	80,683.20	.00	-2,122.20	102.7%*
101830 64009 ASST DIRECTOR/GEN MGR	56,969	.00	56,969.00	59,344.51	.00	-2,375.51	104.2%*
101830 64010 EARLY CHILDHOOD SUPER	41,036	.00	41,036.00	42,075.49	.00	-1,039.49	102.5%*
101830 64012 RECREATION SUPERVISOR	44,908	.00	44,908.00	45,804.87	.00	-896.87	102.0%*
101830 64013 ASST EARLY CHILDCARE	33,126	.00	33,126.00	33,766.40	.00	-640.40	101.9%*
101830 64014 LEAD TEACHERS	57,408	.00	57,408.00	52,340.26	.00	5,067.74	91.2%
101830 64015 SPORTS COORDINATOR	35,134	.00	35,134.00	35,824.84	.00	-690.84	102.0%*
101830 64016 RECEPTIONISTS	48,047	.00	48,047.00	49,805.13	.00	-1,758.13	103.7%*
101830 64017 BOOKKEEPER/SECRETARY	20,390	.00	20,390.00	20,172.46	.00	217.54	98.9%
101830 64020 PT SAFE SCHOOL YEAR S	20,000	.00	20,000.00	24,292.78	.00	-4,292.78	121.5%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 13
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101830 64021 SAFE SUMMER SALARIES	30,000	.00	30,000.00	29,604.51	.00	395.49	98.7%
101830 64023 ADVENTURE SUMMER STAF	12,500	.00	12,500.00	10,690.01	.00	1,809.99	85.5%
101830 64024 FT CUSTODIANS	84,387	.00	84,387.00	59,587.61	.00	24,799.39	70.6%
101830 64025 PRE-SCHOOL STAFF SALA	116,873	.00	116,873.00	123,701.27	.00	-6,828.27	105.8%*
101830 64026 INSTRUCTORS STIPENDS	20,000	.00	20,000.00	30,865.10	.00	-10,865.10	154.3%*
101830 64027 CUSTODIAN WAGES	30,798	.00	30,798.00	26,758.56	.00	4,039.44	86.9%
101830 64028 THEATRE TECHNICIANS	1,000	.00	1,000.00	212.67	.00	787.33	21.3%
101830 64030 OVERTIME	5,000	.00	5,000.00	6,940.75	.00	-1,940.75	138.8%*
101830 64041 FACILITIES MAINT SUPE	0	.00	.00	22,665.44	.00	-22,665.44	100.0%*
101830 64050 MAINE STATE RETIREMEN	41,427	.00	41,427.00	39,813.91	.00	1,613.09	96.1%
101830 64060 FICA EMPLOYER SHARE	56,315	.00	56,315.00	54,753.87	.00	1,561.13	97.2%
101830 64070 WORKERS COMPENSATION	18,315	.00	18,315.00	18,746.08	.00	-431.08	102.4%*
101830 64090 MAJOR MEDICAL INSURAN	158,067	.00	158,067.00	162,061.37	.00	-3,994.37	102.5%*
101830 64091 DENTAL INSURANCE	758	.00	758.00	708.11	.00	49.89	93.4%
101830 64092 DISABILITY INSURANCE	4,443	.00	4,443.00	4,251.95	.00	191.05	95.7%
101830 65010 POSTAGE	1,500	.00	1,500.00	1,560.55	.00	-60.55	104.0%*
101830 65020 TELEPHONE & INTERNET	5,000	.00	5,000.00	4,677.99	.00	322.01	93.6%
101830 65030 TRANSPORTATION	1,000	.00	1,000.00	987.31	.00	12.69	98.7%
101830 65060 PRINTING	7,800	.00	7,800.00	8,195.81	.00	-395.81	105.1%*
101830 65080 LEGAL NOTICES/OTHER A	0	.00	.00	175.14	.00	-175.14	100.0%*
101830 65200 ELECTRICITY / UTILITI	42,000	.00	42,000.00	40,195.21	.00	1,804.79	95.7%
101830 65220 WATER	3,090	.00	3,090.00	3,322.02	.00	-232.02	107.5%*
101830 65230 NATURAL GAS	40,000	.00	40,000.00	39,186.87	.00	813.13	98.0%
101830 65250 SEWER	2,300	.00	2,300.00	2,300.00	.00	.00	100.0%
101830 65300 MACHINE & EQUIPMENT M	9,000	.00	9,000.00	3,372.14	.00	5,627.86	37.5%
101830 65310 VEHICLE MAINTENANCE	1,000	.00	1,000.00	490.44	.00	509.56	49.0%
101830 65478 PROGRAM SERVICES	8,000	.00	8,000.00	7,369.64	.00	630.36	92.1%
101830 65480 OTHER PROFESSIONAL SE	3,000	.00	3,000.00	625.00	.00	2,375.00	20.8%
101830 65500 MAINTENANCE OF BLDG/G	13,000	.00	13,000.00	17,597.45	.00	-4,597.45	135.4%*
101830 65521 UNIFORMS	0	.00	.00	693.44	.00	-693.44	100.0%*
101830 65610 SAFE SCHCOOL YEAR PRO	4,000	.00	4,000.00	4,388.65	.00	-388.65	109.7%*
101830 65615 SAFE SUMMER PROGRAM E	20,000	.00	20,000.00	20,104.92	.00	-104.92	100.5%*
101830 65620 ADVENTURE ADOLESCENT	18,000	.00	18,000.00	20,947.17	.00	-2,947.17	116.4%*
101830 65630 INSTRUCTORS-CONTRACTE	2,500	.00	2,500.00	1,449.00	.00	1,051.00	58.0%
101830 65640 SPECIAL EVENTS	10,000	.00	10,000.00	7,948.80	.00	2,051.20	79.5%
101830 65650 SENIOR PROGRAMS	7,000	.00	7,000.00	10,946.98	.00	-3,946.98	156.4%*
101830 65670 TEAM EXPENSE	8,000	.00	8,000.00	7,940.12	.00	59.88	99.3%
101830 65680 PRESCHOOL PROGRAM EXP	10,000	.00	10,000.00	10,393.13	.00	-393.13	103.9%*
101830 65801 CONTRACTED SERVICES	39,000	.00	39,000.00	42,225.86	.00	-3,225.86	108.3%*
101830 65802 ANNEX UTILITIES	5,000	.00	5,000.00	2,262.80	.00	2,737.20	45.3%
101830 65803 MISCELLANEOUS	9,080	.00	9,080.00	7,571.80	.00	1,508.20	83.4%
101830 66010 OFFICE SUPPLIES	3,500	.00	3,500.00	2,568.50	.00	931.50	73.4%
101830 66030 OTHER SUPPLIES	4,000	.00	4,000.00	4,440.69	.00	-440.69	111.0%*
101830 66031 THEATRE SUPPLIES	2,000	.00	2,000.00	468.46	.00	1,531.54	23.4%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 14
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<u>101830 66040 JANITORIAL SUPPLIES &</u>	11,000	.00	11,000.00	12,774.94	.00	-1,774.94	116.1%*
TOTAL RECREATION	1,305,232	.00	1,305,232.00	1,322,651.98	.00	-17,419.98	101.3%
101840 PORT AUTHORITY							
<u>101840 64010 HARBOR MASTER FULL TI</u>	50,000	.00	50,000.00	47,030.14	.00	2,969.86	94.1%
<u>101840 64020 PART TIME SALARIES</u>	10,000	.00	10,000.00	9,542.42	.00	457.58	95.4%
<u>101840 64050 MAINE STATE RETIREMEN</u>	4,800	.00	4,800.00	.00	.00	4,800.00	.0%
<u>101840 64060 FICA EMPLOYER SHARE</u>	4,590	.00	4,590.00	3,986.14	.00	603.86	86.8%
<u>101840 64070 WORKERS COMPENSATION</u>	4,440	.00	4,440.00	3,773.25	.00	666.75	85.0%
<u>101840 64090 MAJOR MEDICAL INSURAN</u>	18,798	.00	18,798.00	16,103.72	.00	2,694.28	85.7%
<u>101840 64091 DENTAL INSURANCE</u>	1,198	.00	1,198.00	588.35	.00	609.65	49.1%
<u>101840 64092 DISABILITY INSURANCE</u>	384	.00	384.00	370.30	.00	13.70	96.4%
<u>101840 65010 POSTAGE</u>	100	.00	100.00	7.92	.00	92.08	7.9%
<u>101840 65020 TELEPHONE & INTERNET</u>	1,000	.00	1,000.00	1,180.78	.00	-180.78	118.1%*
<u>101840 65030 TRANSPORTATION</u>	500	.00	500.00	.00	.00	500.00	.0%
<u>101840 65080 LEGAL NOTICES/OTHER A</u>	0	.00	.00	126.76	.00	-126.76	100.0%*
<u>101840 65200 ELECTRICITY</u>	1,800	.00	1,800.00	1,509.12	.00	290.88	83.8%
<u>101840 65220 WATER</u>	300	.00	300.00	283.53	.00	16.47	94.5%
<u>101840 65240 DUMPSTERS/TRASH REMOV</u>	1,300	.00	1,300.00	864.77	.00	435.23	66.5%
<u>101840 65305 BOAT EQUIPMENT MAINTEN</u>	750	.00	750.00	1,314.23	.00	-564.23	175.2%*
<u>101840 65311 GAS, GREASE, & OIL</u>	1,000	.00	1,000.00	806.52	.00	193.48	80.7%
<u>101840 65452 SAFETY</u>	1,000	.00	1,000.00	473.10	.00	526.90	47.3%
<u>101840 65460 SIGNS</u>	500	.00	500.00	487.69	.00	12.31	97.5%
<u>101840 65462 RIGGING</u>	6,500	.00	6,500.00	8,783.81	.00	-2,283.81	135.1%*
<u>101840 65463 SANITATION</u>	3,900	.00	3,900.00	1,944.60	.00	1,955.40	49.9%
<u>101840 65470 PROFESSIONAL DEVELOP</u>	550	.00	550.00	971.13	.00	-421.13	176.6%*
<u>101840 65480 OTHER PROFESSIONAL/CO</u>	2,500	.00	2,500.00	815.60	.00	1,684.40	32.6%
<u>101840 65500 MAIN BLDG/GROUNDS WHA</u>	3,000	.00	3,000.00	3,089.32	.00	-89.32	103.0%*
<u>101840 65521 UNIFORMS</u>	500	.00	500.00	533.95	.00	-33.95	106.8%*
<u>101840 65550 PUBLIC OFFICIALS LIAB</u>	2,575	.00	2,575.00	1,529.55	.00	1,045.45	59.4%
<u>101840 65551 MARINE OPERATORS LIAB</u>	6,150	.00	6,150.00	5,785.00	.00	365.00	94.1%
<u>101840 66010 OFFICE SUPPLIES</u>	1,250	.00	1,250.00	130.16	.00	1,119.84	10.4%
<u>101840 66040 JANITORIAL SUPPLIES &</u>	500	.00	500.00	161.18	.00	338.82	32.2%
TOTAL PORT AUTHORITY	129,885	.00	129,885.00	112,193.04	.00	17,691.96	86.4%
101930 RESOURCE RECOVERY FACILITY							
<u>101930 64009 SOLID WASTE 40% COMM</u>	30,000	.00	30,000.00	30,808.92	.00	-808.92	102.7%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 15
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
101930 64010 FULL TIME SALARIES	126,734	.00	126,734.00	128,209.03	.00	-1,475.03	101.2%*
101930 64020 PART TIME SALARIES	28,080	.00	28,080.00	16,949.38	.00	11,130.62	60.4%
101930 64030 OVERTIME	7,000	.00	7,000.00	4,823.95	.00	2,176.05	68.9%
101930 64050 MAINE STATE RETIREMEN	12,166	.00	12,166.00	15,736.60	.00	-3,570.60	129.3%*
101930 64060 FICA EMPLOYER SHARE	14,674	.00	14,674.00	13,272.28	.00	1,401.72	90.4%
101930 64070 WORKERS COMPENSATION	11,197	.00	11,197.00	6,379.98	.00	4,817.02	57.0%
101930 64090 MAJOR MEDICAL INSURAN	54,195	.00	54,195.00	51,025.57	.00	3,169.43	94.2%
101930 64091 DENTAL INSURANCE	498	.00	498.00	164.04	.00	333.96	32.9%
101930 64092 DISABILITY INSURANCE	1,611	.00	1,611.00	1,221.99	.00	389.01	75.9%
101930 65020 TELEPHONE & INTERNET	2,000	.00	2,000.00	917.54	.00	1,082.46	45.9%
101930 65030 TRANSPORTATION	400	.00	400.00	.00	.00	400.00	.0%
101930 65040 EDUCATIONAL/MEETING E	1,500	.00	1,500.00	.00	.00	1,500.00	.0%
101930 65060 PRINTING	3,000	.00	3,000.00	1,716.80	.00	1,283.20	57.2%
101930 65090 ZERO WASTE PROGRAM EX	2,500	.00	2,500.00	.00	.00	2,500.00	.0%
101930 65200 ELECTRICITY	11,000	.00	11,000.00	14,055.58	.00	-3,055.58	127.8%*
101930 65220 WATER	800	.00	800.00	640.95	.00	159.05	80.1%
101930 65230 FUEL OIL	1,230	.00	1,230.00	1,005.18	.00	224.82	81.7%
101930 65300 MACHINE & EQUIPMENT M	3,500	.00	3,500.00	3,828.54	.00	-328.54	109.4%*
101930 65302 PROTECTIVE & SAFETY E	1,000	.00	1,000.00	1,019.50	.00	-19.50	102.0%*
101930 65303 FACILITY SAFETY INSPE	1,250	.00	1,250.00	881.40	.00	368.60	70.5%
101930 65311 GAS, GREASE, & OIL	10,000	.00	10,000.00	8,557.99	.00	1,442.01	85.6%
101930 65312 TIRES & TUBES	3,000	.00	3,000.00	3,023.00	.00	-23.00	100.8%*
101930 65480 OTHER PROFESSIONAL SE	239,000	.00	239,000.00	218,379.57	.00	20,620.43	91.4%
101930 65500 MAINTENANCE OF BLDG/G	10,000	.00	10,000.00	1,593.69	.00	8,406.31	15.9%
101930 65521 UNIFORMS	2,000	.00	2,000.00	2,400.00	.00	-400.00	120.0%*
101930 66009 SHOP SUPPLIES	3,500	.00	3,500.00	4,942.24	.00	-1,442.24	141.2%*
101930 66010 OFFICE SUPPLIES	250	.00	250.00	123.00	.00	127.00	49.2%
101930 66011 HAND TOOLS	200	.00	200.00	.00	.00	200.00	.0%
101930 66030 OTHER SUPPLIES	250	.00	250.00	44.98	.00	205.02	18.0%
101930 66040 JANITORIAL SUPPLIES &	1,200	.00	1,200.00	1,334.61	.00	-134.61	111.2%*
101930 67516 PLANT EQUIPMENT MAINT	12,500	.00	12,500.00	2,591.50	.00	9,908.50	20.7%
101930 67553 ASPHALT SURFACE MAINT	7,500	.00	7,500.00	.00	.00	7,500.00	.0%
TOTAL RESOURCE RECOVERY FACILI	603,735	.00	603,735.00	535,647.81	.00	68,087.19	88.7%
103000 SHARED EXPENSES - OTHER INSURA							
103000 64090 RETIRED EMP MEDICAL/D	134,847	.00	134,847.00	159,736.30	.00	-24,889.30	118.5%*
103000 65101 MMA RISK POOL	164,172	.00	164,172.00	156,767.00	.00	7,405.00	95.5%
103000 65115 UNEMPLOYMENT COMPENSA	4,500	.00	4,500.00	78.27	.00	4,421.73	1.7%
103000 65150 MISCELLANEOUS INSURAN	4,410	.00	4,410.00	4,571.70	.00	-161.70	103.7%*
103000 65210 UNION CENTRAL LIFE IN	2,500	.00	2,500.00	2,662.31	.00	-162.31	106.5%*

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 16
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL SHARED EXPENSES - OTHER	310,429	.00	310,429.00	323,815.58	.00	-13,386.58	104.3%
108000 ADULT ED							
<u>108000 69480 ADULT EDUCATION FUND-</u>	80,590	.00	80,590.00	80,590.00	.00	.00	100.0%
TOTAL ADULT ED	80,590	.00	80,590.00	80,590.00	.00	.00	100.0%
1111 TOWN REVENUE							
<u>1111 43001 PROPERTY TAX REVENUE</u>	-8,981,322	.00	-8,981,322.00	-9,013,437.69	.00	32,115.69	100.4%
<u>1111 43003 PROPERTY TAX ABATEMENTS</u>	0	.00	.00	17,998.20	.00	-17,998.20	100.0%*
<u>1111 43004 PAYMENT IN LIEU OF TAXE</u>	0	.00	.00	-1,816.70	.00	1,816.70	100.0%
<u>1111 43006 HOMESTEAD EXEMPT STATE</u>	-170,000	.00	-170,000.00	-206,517.00	.00	36,517.00	121.5%
<u>1111 43007 TREE GROWTH REVENUE</u>	-2,758	.00	-2,758.00	-2,967.51	.00	209.51	107.6%
<u>1111 43031 EXCISE TAX AUTOMOBILE</u>	-1,700,000	.00	-1,700,000.00	-1,958,761.74	.00	258,761.74	115.2%
<u>1111 43032 EXCISE TAX BOAT</u>	-27,500	.00	-27,500.00	-26,555.46	.00	-944.54	96.6%*
<u>1111 43109 SIGN PERMITS</u>	-3,000	.00	-3,000.00	-3,250.00	.00	250.00	108.3%
<u>1111 43110 CODE ENFORCEMENT FEES</u>	-203,000	.00	-203,000.00	-401,461.32	.00	198,461.32	197.8%
<u>1111 43113 BOARD OF ASSESSMENT REV</u>	-400	.00	-400.00	-100.00	.00	-300.00	25.0%*
<u>1111 43114 ADDITIONAL LAND USE FEE</u>	-4,400	.00	-4,400.00	-4,867.50	.00	467.50	110.6%
<u>1111 43115 PLANNING FEES (SUBDIVIS</u>	-14,000	.00	-14,000.00	-13,185.41	.00	-814.59	94.2%*
<u>1111 43120 TOWN CLERK FEES</u>	-22,000	.00	-22,000.00	-26,889.20	.00	4,889.20	122.2%
<u>1111 43121 WILDLIFE AGENT FEE</u>	-1,200	.00	-1,200.00	-1,202.00	.00	2.00	100.2%
<u>1111 43122 ANIMAL WELFARE AGENT FE</u>	-1,600	.00	-1,600.00	-1,697.00	.00	97.00	106.1%
<u>1111 43130 TOWN REGISTRATION FEES</u>	-27,000	.00	-27,000.00	-28,368.00	.00	1,368.00	105.1%
<u>1111 43135 HWY PERMITS & FEES</u>	-1,000	.00	-1,000.00	-2,193.73	.00	1,193.73	219.4%
<u>1111 43140 SOLID WASTE PERMITS & F</u>	-48,000	.00	-48,000.00	-90,776.00	.00	42,776.00	189.1%
<u>1111 43145 SOLID WASTE RECYCLING</u>	-140,000	.00	-140,000.00	-79,089.74	.00	-60,910.26	56.5%*
<u>1111 43147 DINGHY FEES</u>	-8,500	.00	-8,500.00	-11,735.00	.00	3,235.00	138.1%
<u>1111 43148 TRANSIENT SLIP RENTAL</u>	-3,000	.00	-3,000.00	-770.00	.00	-2,230.00	25.7%*
<u>1111 43149 KPA APPLICATION FEES</u>	-1,000	.00	-1,000.00	-700.00	.00	-300.00	70.0%*
<u>1111 43150 MOORING FEES</u>	-84,000	.00	-84,000.00	-81,042.00	.00	-2,958.00	96.5%*
<u>1111 43151 LAUNCH FEE</u>	-8,000	.00	-8,000.00	-14,025.60	.00	6,025.60	175.3%
<u>1111 43152 TRANSIENT MOORING</u>	-5,200	.00	-5,200.00	-4,570.00	.00	-630.00	87.9%*
<u>1111 43153 WAIT LIST FEE</u>	-750	.00	-750.00	-1,566.00	.00	816.00	208.8%
<u>1111 43154 HARBOR & WATER USAGE FE</u>	-11,000	.00	-11,000.00	-10,811.70	.00	-188.30	98.3%*
<u>1111 43156 PIER USAGE FEE</u>	0	.00	.00	-2,440.00	.00	2,440.00	100.0%
<u>1111 43157 MOORING LATE FEE</u>	0	.00	.00	-1,475.00	.00	1,475.00	100.0%

08/02/2018 13:59
220pmoore

TOWN OF KITTEERY
GENERAL FUND FY2018

P 17
glytdbud

FOR 2018 13

ACCOUNTS FOR: 1000 TOWN GENERAL FUND	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
1111 43160 FORT FOSTER FEES	-183,000	.00	-183,000.00	-219,167.67	.00	36,167.67	119.8%
1111 43165 SPRINKLER PERMITS	-250	.00	-250.00	-1,000.00	.00	750.00	400.0%
1111 43210 LIEN FEES	-30,000	.00	-30,000.00	-7,352.90	.00	-22,647.10	24.5%*
1111 43220 PENALTY INTEREST	-35,000	.00	-35,000.00	-45,196.06	.00	10,196.06	129.1%
1111 43320 RECREATION FEES	-874,355	.00	-874,355.00	-1,023,621.65	.00	149,266.65	117.1%
1111 43330 ANIMAL CONTROL	-6,500	.00	-6,500.00	-5,875.00	.00	-625.00	90.4%*
1111 43335 POSTAGE	0	.00	.00	-35.55	.00	35.55	100.0%
1111 43336 PHOTO COPIES	-375	.00	-375.00	-202.75	.00	-172.25	54.1%*
1111 43349 DEA OVERTIME REIMBURSEM	-18,000	.00	-18,000.00	-18,042.00	.00	42.00	100.2%
1111 43350 OUTSIDE DETAIL REIMBURS	-15,000	.00	-15,000.00	-9,103.05	.00	-5,896.95	60.7%*
1111 43351 ACCIDENT REPORTS	-3,000	.00	-3,000.00	-2,427.00	.00	-573.00	80.9%*
1111 43352 PARKING TICKETS	-14,000	.00	-14,000.00	-18,250.00	.00	4,250.00	130.4%
1111 43353 GUN PERMITS	-2,000	.00	-2,000.00	-1,085.00	.00	-915.00	54.3%*
1111 43354 ELIOT DISPATCHING SERVI	-91,350	.00	-91,350.00	-91,350.00	.00	.00	100.0%
1111 43355 ORDINANCE FINES	-400	.00	-400.00	-350.00	.00	-50.00	87.5%*
1111 43356 WITNESS FEES	-500	.00	-500.00	-373.96	.00	-126.04	74.8%*
1111 43358 FALSE ALARMS	-1,110	.00	-1,110.00	-890.00	.00	-220.00	80.2%*
1111 43359 AMBULANCE DISPTACH FEES	-16,000	.00	-16,000.00	-16,000.00	.00	.00	100.0%
1111 43410 MDOT HWY MAINTENANCE RE	-11,500	.00	-11,500.00	-11,500.00	.00	.00	100.0%
1111 43420 STATE REVENUE SHARING	-397,652	.00	-397,652.00	-405,566.85	.00	7,914.85	102.0%
1111 43421 STATE PARK FEE REV SHAR	-275	.00	-275.00	-903.36	.00	628.36	328.5%
1111 43443 RESTITUTION INCOME/UNAP	-3,000	.00	-3,000.00	-2,887.88	.00	-112.12	96.3%*
1111 43470 STATE OF MAINE GENERAL	-45,000	.00	-45,000.00	-35,503.77	.00	-9,496.23	78.9%*
1111 43480 MARY SAFFORD WILDES TRU	-30,000	.00	-30,000.00	-37,500.00	.00	7,500.00	125.0%
1111 43510 INTEREST ON INVESTMENTS	-30,000	.00	-30,000.00	-40,128.49	.00	10,128.49	133.8%
1111 43530 MISCELLANEOUS REVENUE/U	-25,000	.00	-25,000.00	-13,618.40	.00	-11,381.60	54.5%*
1111 43540 SEWER DEPT RENT	-22,900	.00	-22,900.00	-22,900.00	.00	.00	100.0%
1111 43555 SNOWMOBILE/HANDICAP/ELD	-655	.00	-655.00	-642.14	.00	-12.86	98.0%*
1111 43560 GMH HOUSING	-275,875	.00	-275,875.00	-266,849.04	.00	-9,025.96	96.7%*
1111 43575 SUP APPRO FROM UNDESIGN	0	-23,000.00	-23,000.00	.00	.00	-23,000.00	.0%*
1111 43580 USE OF CARRY FORWARDS	0	-1,000.00	-1,000.00	.00	.00	-1,000.00	.0%*
1111 45007 INTEREST REVENUE	-2,000	.00	-2,000.00	.00	.00	-2,000.00	.0%*
1111 45020 MMA W/C DIVIDEND	-9,000	.00	-9,000.00	-8,556.00	.00	-444.00	95.1%*
1111 45025 SCHOOL RESOURCE OFFICER	-40,000	.00	-40,000.00	-45,000.00	.00	5,000.00	112.5%
TOTAL TOWN REVENUE	-13,652,327	-24,000.00	-13,676,327.00	-14,326,151.62	.00	649,824.62	104.8%
TOTAL TOWN GENERAL FUND	0	.00	.00	-841,477.22	.00	841,477.22	100.0%
TOTAL REVENUES	-13,652,327	-24,000.00	-13,676,327.00	-14,326,151.62	.00	649,824.62	
TOTAL EXPENSES	13,652,327	24,000.00	13,676,327.00	13,484,674.40	.00	191,652.60	

08/02/2018 13:59
220pmoore

TOWN OF KITTERY
GENERAL FUND FY2018

```
|P      18
|glytdbud
```

FOR 2018 13

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	0	.00	.00	-841,477.22	.00	841,477.22	100.0%

** END OF REPORT - Generated by PATRICIA MOORE **

TIF FUND ANALYSIS
 Fiscal Year 2018
 Year End Transfers & Carryforwards

CALCULATED FUNDS		FY2012 \$ 14.45		FY2013 \$ 15.14		FY2014 \$ 15.22		FY2015 \$ 15.52		FY2016 \$ 15.67		FY2017 \$ 16.05		FY2018 \$ 16.50	
	BASELINE	2011 Values	TIF	2012 Values	TIF	2013 Values*	TIF	2014 Values	TIF	2015 Values	TIF	2016 Values	TIF	2017 Values	TIF
TIF 1	3,156,500	3,156,500	0	3,156,500	0	3,314,325	2,402	3,314,325	2,449	3,314,325	2,473	3,074,700	0	3,033,800	0
TIF 2	15,807,300	16,561,100	10,892	17,228,300	21,514	17,905,300	31,932	18,452,975	41,061	19,635,800	59,993	19,897,000	65,640	20,330,100	74,626
TIF 3	2,105,200	2,105,200	0	2,771,500	10,088	2,963,500	13,063	2,963,500	13,321	3,058,800	14,943	3,058,800	15,305	3,058,800	15,734
TOTAL	21,069,000	21,822,800	10,892	23,156,300	31,602	24,183,125	47,397	24,730,800	56,831	26,008,925	77,409	26,030,500	80,945	26,422,700	90,361

ACTUAL FUNDS	FY2012		FY2013		FY2014		FY2015		FY2016		FY2017		FY2018		Total		Variance
															Total ACTUAL Funds	TOTAL CALCULATED FUNDS	
TIF 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	7,324	\$ (7,324)
TIF 2	\$ -	\$ 43,290	\$ 329	\$ 28,794	\$ 47,608	\$ 47,608	\$ 47,608	\$ 215,235	\$ 305,656	\$ (90,422)							
TIF 3	\$ -	\$ 10,088	\$ 11,461	\$ 11,687	\$ 13,293	\$ 13,293	\$ 13,293	\$ 73,117	\$ 82,454	\$ (9,338)							
TOTAL	\$ -	\$ 53,378	\$ 11,790	\$ 40,481	\$ 60,901	\$ 60,901	\$ 60,901	\$ 288,352	\$ 395,434	\$ (107,084)							

Note: Numbers shown have been rounded to whole dollars.

*- Revaluation Year

Town of Kittery

Fund Balances - Capital Projects and Special Revenues

For the month ending June 30, 2018

Fund Type	New #	Account Name	Ending Fund Balance 6/30/2017	Transfers YE FY17	Transfers FY18	CIP Appropriation 7/1/2017	YTD Expense	YTD Revenue	Ending Fund Balance
Special Revenues (Grants, Designated Accounts, etc)									
SR	2006	Additional Snow and Ice Expenses	1,504.29				(1,504.29)		-
SR	2012	Fire Hazmat Spill Recovery Fees	4,236.12				(1,050.45)		3,185.67
SR	2013	GMH Fire/Police Protection	482.75		(482.75)				-
SR	2014	Police Grants	24.18				(5,449.98)	4,502.00	(923.80)
SR	2028	Ballot Machines	6,078.00						6,078.00
SR	2032	ASA Applicant Code	30,265.54				(39,954.74)	53,595.08	43,905.88
SR	2038	Kittery Block Party	22,743.97				(42,082.65)	43,680.00	24,341.32
SR	2056	Concerts in the Park	2,846.91				(3,600.00)		(753.09)
SR	2059	Conservation Comm	972.02						972.02
SR	2060	Wetland mitigation	25,156.00					12,464.00	37,620.00
SR	2063	Kittery Community Center (KCC) Donations	13,617.29				(4,280.07)	22,663.85	32,001.07
SR	2066	Police Forfeiture	59,296.57				(2,499.16)	2,370.48	59,167.89
SR	2068	Fort Foster Bench Donations	12,635.11				(1,908.09)	150.00	10,877.02
SR	2069	Boating Infrastructure Grant (BIG)	1,583.71						1,583.71
SR	2071	D.A.R.E	216.03						216.03
SR	2074-67503	TIF District #3	54,279.76		13,293.46		(8,011.24)		59,561.98
SR	2074-67502	TIF District #2	167,627.84		47,607.54				215,235.38
SR	2076	Wave Mitigation - Pepperrell Cove	4,000.00		(4,000.00)				-
SR	2077	Brownfields Grant	(1,372.32)		5,041.15		(3,668.83)		-
SR	2079	Spruce Creek 319 PH4 Grant	687.35				(5,261.50)	6,926.23	2,352.08
SR	2081	Channel 22 (PEG) Capital Funding	431,999.99				(53,318.94)	109,357.71	488,038.76
SR	2082	KCC Playgrounds						64,718.36	64,718.36
SR	2091/67500	FEMA Flood Maps Ins Rate Appeal	20,000.00				(31,240.00)		(11,240.00)
SR	2091/43600	FEMA Flood Maps Ins Rate Appeal - Phase 2	-					8,187.00	8,187.00
SR	2092	Dispatch Center	(1,000.00)		1,000.00				-
SR	4001-67500/43600	State Aid to Roads General	452,058.26		(128,597.50)		(2,400.00)	155,664.00	476,724.76
SR	4001-67502/43602	Whipple Road Improvements	275,744.70		27,292.10		(2,197.04)	1,330.75	302,170.51
SR	4001-67503/43603	Memorial Circle Improvements	233,109.44		10,000.00		(1,969,468.18)	1,771,736.17	45,377.43
SR	4001-67508/43608	Walker/Wentworth	-		91,305.40				91,305.40
SR	4030	Public Safety Impact Fees	61,461.04				(36,409.65)	58,881.68	83,933.07
SR	2093	LWCF Grant - Emery Field Phase 1	41,230.54				(241,632.24)	163,587.09	(36,814.61)
SR	2210	Ogden KCC Grant	30,000.00		10,000.00		(14,400.00)		25,600.00
SR	2301	Billable Police Details	-				(20,743.58)	25,326.42	4,582.84
Total Special Revenue			1,951,485.09	-	72,459.40	-	(2,491,080.63)	2,505,140.82	2,038,004.68

CIP Bonds

CP	2036	Kittery Community Center Bonds	373.48						373.48
CP	2085	2016 Municipal Projects	24,255.35					1,670.31	25,925.66

CIP Programs

SR	2022	Compensated Absences	36,981.90	170,767.00			(111,018.40)		96,730.50
CP	2033	Property Revaluation	3,478.91		(3,478.91)				-
CP	2053	Pier Construction	(69,309.58)			35,646.00			(33,663.58)

Town of Kittery

Fund Balances - Capital Projects and Special Revenues

For the month ending June 30, 2018

Fund Type	New #	Account Name	Ending Fund Balance 6/30/2017	Transfers YE FY17	Transfers FY18	CIP Appropriation 7/1/2017	YTD Expense	YTD Revenue	Ending Fund Balance
CP	2057	Open space	59,047.00						59,047.00
CP	2078	Athletic Fields Master Plan (Design)	37,142.34			25,000.00			62,142.34
CP	2080	Comprehensive Plan Update	25,000.00		(25,000.00)				-
CP	4000	KCC Annex & Econ Dev	6,397.12		(6,397.12)				-
CP	4002	Right of Way Reserve (inc 4005, 4006, 4008, 2090)	813,921.17			200,000.00	(780,196.94)		233,724.23
CP	4011	KCC Vehicle Reserve	14,700.00			6,000.00			20,700.00
CP	4012	Public Works Vehicles/Equipment (inc. 4009, 4014, 4015, 4023)	114,335.79			500,000.00	(515,666.28)	4,010.00	102,679.51
CP	4013	Fire Apparatus Reserve	181,862.19			159,750.00	(48,447.00)		293,165.19
CP	4017	MS4 Compliance Reserve	104,869.40			10,000.00	(7,205.23)		107,664.17
CP	4018	KPA Boat Reserve	1,997.02			7,500.00		7,601.00	17,098.02
CP	4019	KCC Equipment Reserve	7,068.73			5,000.00	(7,012.00)		5,056.73
CP	4020	Municipal Technology Reserve	23,951.39			35,000.00	(45,208.65)		13,742.74
CP	4022	Police Vehicle/Equipment	4,450.94			113,000.00	(110,359.19)	2,116.00	9,207.75
CP	4026	Records Preservation	12.13			10,000.00	(10,002.00)		10.13
CP	4027	Municipal Facility Reserve (was Roof Maintenance)	170,772.47		6,817.63	50,000.00	(27,215.14)		200,374.96
CP	4031	Public Safety Base Station Radio Replace	20,845.45						20,845.45
CP	4037	Fire Dept SCBAs	493.02		(493.02)				-
CP	4043	Parks Building & Grounds (inc 4016)	3,875.47			20,000.00	(20,104.83)		3,770.64
CP	4051	KCC Facility Reserve	23,700.00			10,000.00	(4,873.17)		28,826.83
CP	4053	Pepperrell Cove Paving/Utilities	21,461.88						21,461.88
CP	4055	Port Authority Equipment Reserve (inc 4052)	37,686.00			13,000.00	(22,295.00)		28,391.00
CP	4056	Fire Dept Equipment Reserve	85,217.32		493.02	57,667.00	(12,539.62)		130,837.72
CP	4057	Rt 1 Bypass & Rt 1 Two Way Plan	2,500.00		(2,500.00)				-
CP	4100	Fire Dept Facility Reserve (was Boiler Replacements)	36,340.00				(62,098.00)		(25,758.00)
CP	4110	PW Sign Shed	20.00						20.00
CP	4115	KPA Pepperrell Cove Raililings & Lights	1,057.00						1,057.00
CP	4116	KPA Facility Reserve (was Gov Pier)	6,386.50	10,473.00	4,000.00	50,000.00	(16,895.00)		53,964.50
CP	4122	Zoning Recodification and GIS Upgrade			25,000.00	45,000.00			70,000.00
CP	4120	Rice and Taylor Lighting				10,000.00			10,000.00
CP	4121	Rice Beam Replacement				6,740.00			6,740.00

Total Capital Projects	1,800,890.39	181,240.00	1,369,303.00	(1,801,136.45)	15,397.31	1,564,135.85
-------------------------------	---------------------	-------------------	---------------------	-----------------------	------------------	---------------------

School Capital Projects

SCH	1001	School Facility Reserve	128,330.13			50,000.00	(73,201.88)		105,128.25
SCH	1002	School Equipment Reserve	102,621.37			40,000.00	(46,117.36)		96,504.01
SCH	1003	School Technology Reserve	26,426.00			40,000.00	(28,386.81)		38,039.19
SCH	1004	School Vehicle Reserve	7,719.07			10,000.00			17,719.07

Total School Capital Projects	265,096.57	-	140,000.00	(147,706.05)	-	257,390.52
--------------------------------------	-------------------	----------	-------------------	---------------------	----------	-------------------

TOTAL GENERAL OPERATIONS	4,017,472.05	181,240.00	1,509,303.00	(4,439,923.13)	2,520,538.13	3,859,531.05
---------------------------------	---------------------	-------------------	---------------------	-----------------------	---------------------	---------------------

Permanent Funds (Scholarship Funds/Trust Funds)

-

Town of Kittery

Fund Balances - Capital Projects and Special Revenues

For the month ending June 30, 2018

Fund Type	New #	Account Name	Ending Fund Balance 6/30/2017	Transfers YE FY17	Transfers FY18	CIP Appropriation 7/1/2017	YTD Expense	YTD Revenue	Ending Fund Balance
PF	5001	Connie Samuels Beautification Fund	58,600.93						58,600.93
PF	5002	Public Health	27,275.44						27,275.44
PF	5003	York Hospital Scholarship	12,168.65				(12,347.00)	18,500.00	18,321.65
PF	5005	Lester Raynes Fund	9,228.16						9,228.16
PF	5007	Thresher Memorial Fund	2,650.10				(1,681.03)	120.00	1,089.07
PF	5010	Kittery Education Scholarship Fund	6,073.60				(8,500.00)	10,180.86	7,754.46
PF	5021	Cemetery	5,297.35				(18,575.00)	500.00	(12,777.65)
			-						
Total Permanent Funds			121,294.23	-		-	(41,103.03)	29,300.86	109,492.06
Enterprise Fund (Sewer)						-			
ER	2900	Sewer Impact fees	490,715.46				(3,375.00)	197,715.00	685,055.46
ER	2901	Sewer Betterment	116,946.97					21,636.08	138,583.05
ER	2902	Sewer Safety Grants	-				(1,756.00)	3,756.00	2,000.00
ECP	4900	Sewer Vehicle Reserve	166,938.33						166,938.33
ECP	4901	Sewer Depreciation (Capital Reserve)	239,300.51				(85,882.50)		153,418.01
Total Enterprise Funds			1,013,901.27	-		-	(91,013.50)	223,107.08	1,145,994.85
GRAND TOTAL ALL FUNDS			5,152,667.55	181,240.00	-	1,509,303.00	(4,572,039.66)	2,772,946.07	5,115,017.96



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road
Kittery, Maine 03904
Phone 207-474-1328 Fax 207-439-6806

APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT
(Pursuant to 28-A M.R.S.A. Sec. 1054)

Name, address and legal status of individual(s) or entity seeking to hold permit:

Delta Amusement, Inc.

Name and mailing address of the premises where the special activity/amusement will occur:

182 STATE Rd Kittery ME.
03904

Mailing address and telephone number of owner of the real estate: M.H. PARSONS
+ SONS PO BOX 450 YORK ME 207 363 1461

Describe the specific portion of the premises where the special activity/amusement will occur:

Upper Right corner of Building

Set forth the specific time periods between which the special activity/amusement will occur:

Thursday Nite, SAT Nite 8pm - 12³⁰ pm.

Describe the specific activity or type of amusement for which the permit is requested:

KARAOKE + D.J. DANCING +
OCCASIONAL SMALL BAND

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes ☐ No ☒

If so, give the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

(Over)

Give any additional information to support your request for the permit sought herein:

As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

Joseph E Sugler President owner

NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: 8-9-2018

SIGNATURE OF APPLICANT: Joseph E Sugler

APPLICANT'S NAME: Joseph E Sugler
(please print)

ADDRESS: 3 Tobey St Hampton NH 03842
(please print)

TELEPHONE NUMBER: 508 331-1259

FEE: \$20.00 per year Must be renewed annually with liquor license.

PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



TOWN OF KITTERY, MAINE

200 Roger Road, Kittery, ME 03904
Telephone: (207) 439-0452 Fax: (207) 439-6806

Date issued : 8/13/2018
Date reviewed: _____

TO: NICOLE MAURICE, TOWN CLERK
FROM: JAN FISK: ASSISTANT TAX COLLECTOR
RE: TAX LIABILITY REVIEW

NAME OF BUSINESS: Navy Yard Bar + Billiard
BUSINESS LOCATION: 182 State Rd.
BUSINESS PHONE #: 207.439.7137
NAME OF APPLICANT: Joseph Sugden & Anthony Borrelli
NAME OF BUSINESS OWNER: Joseph Sugden
ACCOUNT NUMBER: _____

____ VICTUALERS LICENSE

☒ LIQUOR LICENSE

☒ SPECIAL ACTIVITY AMUSEMENT PERMIT

____ OTHER _____

____ A tax liability review was conducted and tax payments are current for the establishment.

☒ A tax liability review was conducted tax payments are not current for the establishment.

(See attached)
Amount(s) / Tax Year due: _____

Jan Fisk
Assistant Tax Collector

8/13/18
Date

08/13/2018 10:21
220jfisk

TOWN OF KITTEERY - LIVE
Personal Property Tax Statement

P 1
txtaxstm

PROPERTY : 102960

LOCATION: 182 STATE RD

OWNER:

DELTA AMUSEMENT INC
182 STATE RD
KITTEERY ME 03904

STATUS:

TAXABLE VALUATION: 18,000
INTEREST PER DIEM .11

INTEREST DATE: 08/01/2018

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2018	PP-R	107				
1	TXPP TX		99.02	99.02	5.20	104.22
2	TXPP TX		98.99	98.99	3.11	102.10
3	TXPP TX		98.99	98.99	1.12	100.11
			297.00	297.00	9.43	306.43
2017	PP-R	109				
1	TXPP TX		96.32	59.63	6.26	65.89
2	TXPP TX		96.29	96.29	9.82	106.11
3	TXPP TX		96.29	96.29	7.89	104.18
			288.90	252.21	23.97	276.18
GRAND TOTALS			585.90	549.21	33.40	582.61



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road
Kittery, Maine 03904
Phone 207-474-1328 Fax 207-439-6806

APPLICATION FOR SPECIAL ACTIVITY/AMUSEMENT PERMIT
(Pursuant to 28-A M.R.S.A. Sec. 1054)

Name, address and legal status of individual(s) or entity seeking to hold permit:

Tributary Brewing Co., LLC
5 Winding Brooke Ln., South Berwick, ME 03908

Name and mailing address of the premises where the special activity/amusement will occur:

Tributary Brewing Co.
10 Shapleigh Rd., Ste. A Kittery

Mailing address and telephone number of owner of the real estate: Driscoll Realty Inc.

PO Box 207, Kittery Point, ME 0390 439-7502

Describe the specific portion of the premises where the special activity/amusement will occur:

Tasting Room

Set forth the specific time periods between which the special activity/amusement will occur:

Wed - Sat 12:00 PM - 11:00 PM; Sun 12 PM - 9:00 PM

Describe the specific activity or type of amusement for which the permit is requested:

Small bands, duos or solo performers with
potential for dancing

Has any individual(s), partner(s), majority shareholder(s) of the business entity, seeking to hold this permit, been convicted of a felony or had any similar type of amusement or activity permit been denied or revoked within the past ten (10) years by any other municipal or state authority, agency or board? Yes ☐ No ☒

If so, give the state of conviction for any felony and describe specifically the circumstances of any such denial or revocation giving the state or city and date of such denial or revocation:

(Over)

Give any additional information to support your request for the permit sought herein:

As part of this application process, the individual or business entity seeking the permit herein acknowledges that the Municipal Officers, pursuant to 28-A M.R.S.A. Subsection 1054(7) may suspend or revoke the permit applied for herein on the grounds that the activity or amusement constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

Give the authority and legal relationship of the applicant signing below to the entity seeking permit:

Member partner of Tributary Brewing Co. LLC

NOTE: In granting this permit, the Town relies on the accuracy and truth of the facts represented herein. Any misleading or incorrect information set forth in this application shall be grounds for denial or immediate revocation of the permit issued. By signing this application, the applicant represents the truth of the facts herein stated.

DATE OF APPLICATION: 7/19/18

SIGNATURE OF APPLICANT: Galen Mott

APPLICANT'S NAME: Galen Mott
(please print)

ADDRESS: 5 Winding Brooke Ln., South Berwick, ME 03908
(please print)

TELEPHONE NUMBER: 207-703-0093

FEE: \$20.00 per year Must be renewed annually with liquor license.

PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE

REPORT to the KITTERY TOWN COUNCIL – Reduction of State Road Speed Limit

RESPONSIBLE INDIVIDUAL: Councilor Charles Denault

Date07/23/2018

Subject: Reduction of the speed limit on State Rd. from 35 to 25 MPH.

Background:

1. STATE ROAD is also known as US RTE 1. Designed to be a connector between Maine and New Hampshire. The Southern part of State Rd. is attached to Newmarch St. (currently posted 25 mph) and Government and Hunter Streets (currently posted at 25 mph) as it proceeds southerly onto the Memorial Bridge (currently posted at 25 mph) and into New Hampshire. STATE ROAD as it proceeds northerly, connects to the Memorial Circle (currently posted at 25 mph) and then onto State Rd. extension/ Rogers Rd (currently posted 25 mph) then onto U.S. Rte 1 Bypass. All roads leading into or out from State Road are currently posted at 25 MPH. Located on this particular stretch of State Road are residential and commercial properties, side roads, sidewalks and crosswalks. There are several school bus stops where some children have to cross the road to get to their homes.
2. The speed limit between the Memorial Circle and Newmarch Street. is currently posted at 35 mph. The location today is a lot different than when it was originally designed. Changing from open fields to packed residential and commercial properties with canopies of trees on both sides of the roadway. It now has sidewalks, side roads, multiple school bus stops, driveways and condensed residential areas between scattered businesses with many parking lots exiting onto State rd.
3. Throughout the years, the average speed on this road has consistently been in excess of 45 mph and even with limited police patrol, speed radar trailers and strobed crosswalks, a large amount of motorists do not obey the speed limit.
4. There have been many complaints of speed, noise and accidents on this roadway.
5. When methods to reduce speed are deployed, a measurable reduction of speeding vehicles and noise is evident. However, the average percentile of speeding vehicles consistently above the posted speed.
6. STATE ROAD has become a hub to cut through to New Hampshire when the traffic is backed up and/or the Sarah Mildred Long bridge is raised or is backed up as well. Many of the operators of these vehicles are unfamiliar with this area, unaware of the multiple driveways that enter this stretch of road, pay no attention to the posted speed limits and tend to follow the leader with respect to the average speed.
7. The residents of this road have previously voiced their concerns to the Town of Kittery and the State of Maine in the past and were vocal with their thoughts to slow the vehicles down and reduce the noise which has been in vain.

Reasoning:

By reducing the speed to 25 mph, the vehicles obeying the law will help reduce the speeding vehicles as well as reducing the average speed bringing it closer to 35 mph and therefore increase the safety for all. Also, based on the American Association of State Highway and

REPORT to the KITTERY TOWN COUNCIL – Reduction of State Road Speed Limit

Transportation Officials Standard, 35 MPH is too high of a speed limit for proper viewing and stopping distances based on the driveways and intersections.

The safety of the public is a priority that can't be ignored.

Current Situation:

- The Speed limit is not consistent with two opposite ends of State Road. State Road is currently posted at 35 mph between Newmarch Street, Hunter Avenue and the Memorial Bridge (which are currently posted at 25 mph) and the State Road Extension / Rogers Road Extension (is currently posted at 25 mph as well.)
- The safety of the Residents, Pedestrians and Motoring Public are at risk.
- There is noise and exhaust pollution associated with the higher traffic, higher speeds and exhaust pollution from the higher amount of traffic.
- All roads connecting to State Road are posted at 25 mph.
- Kittery maintains State Rd. Repairs and plowing.

Proposed Solution

- **Have the Town of Kittery pursue a course of action with the State of Maine to change and reduce the speed limit on STATE ROAD US Route 1 from 35 mph to 25 mph and make the entire road consistently posted.**

Rationale for the Proposed Solution:

- A reduction of the speed limit provides:
 - Brings a reduction of noise pollution
 - Added safety to the area including pedestrians on sidewalks and bicyclists.
 - Lowers the risk of accidents
 - By making it 25, it brings consistency to the stretch of State Road between two posted 25 mph connector roads.
 - Provides safety for all motorists, pedestrians and residents alike.
 - Lowers the Carbon Footprint from emissions.
 - Saves fuel.
 - It will not bear no cost to the Town.
 - It is the right thing to do.
 - Could perhaps increase business due to increased visibility.
 - The Route 1 business district (MALL ROAD) is posted at 25 MPH
 - The US ROUTE 1 BYPASS is 4 lanes with turning lanes and is posted at 35 mph.

1 Attachment

Petition from the residents of State Road

June 5th, 2018

To the Kittery Town Council and Town Manager

Town Manager Kendra Amaral
Chairman Kenneth Lemont
Vice Chairman Charles Denault
Councilor Jeffery Thomson
Councilor Jeffery Pelletier
Councilor Gary Beers
Councilor Matthew Brock
Councilor Frank Dennett

Please accept and act on this petition. We the undersigned residents of Kittery Maine respectfully request that the Town of Kittery change the speed limit on State Road from 35 MPH to 25 MPH from the Intersection of Government Street north to the traffic circle. From the Memorial Bridge to North of the outlet malls, this .8 miles stretch of State Road is the only part currently posted at 35 MPH and has more residence than any other part.

Reasoning: The main reason for this request is the public safety of all the local residents, children and citizens who travel or live on State Road. There are many blind residential driveways that enter State Road as well as the local area has changed dramatically over the years. All roads leading into State Road are currently posted at 25 MPH. Located on this stretch of State Road are residential and commercial properties, side roads, sidewalks and crosswalks. There are several school bus stops where some children have to cross the road to get to their homes. Throughout the years, the average speed on this road has consistently been in excess of 45 mph and even with limited police patrol, speed radar trailers and strobed crosswalks, a large amount of motorists do not obey the speed limit. By reducing the speed to 25 mph, the vehicles obeying the law will help reduce the speeding vehicles as well as reducing the average speed bringing it closer to 35 mph and therefore increase the safety for all.

Also, based on the American Association of State Highway and Transportation Officials Standard, 35 MPH is too high of a speed limit for proper viewing and stopping distances based on the driveways, intersections and topography. (Please see attachments)

Another problem is the noise. Reducing the speed will help reduce the noise.

Thank you for your consideration of this request and for looking out for the safety of Kittery residents.

KITTELY RESIDENT PETITION TO REDUCE THE SPEED LIMIT ON SUGGESTED ROADWAYS

SIGNATURE	PRINTED NAME	ADDRESS	PHONE (OPT)	EMAIL (OPT)
	Dominic Goupil	132 STATE ROAD	207.439.4900	DGoupil@aol.com
	John Quinn	5 Page St	207-252-2870	
	Edie Davis Quinn	5 Page St	207 860 8528	edie.davis.quinn@heinemann.com
	Kati Sink	10 Page St.	603-502-0198	
	ADAM SINK	10 PAGE	603 370 0255	SINKADAM@GMAIL.COM
	SUSAN FONO	8 PAGE	207-219-3628	
	Terry Goupil	132 State		
	Pamela Schneier	16 Palmer Ave	207-252-0203	Peschneierreg@aol.com
	Christine Stadke	136 State Rd.		
	Ryan Pensen	136 State Rd.		
	SUSAN Hopping	146 STATE Rd	439-8844	
	Angela Quarataro	2 Laurel Ave	603 833-7571	AQuarataro@gmail.com
	Carol P Cole	4 Sterling Rd	439-0290	
	Joyce Tureo	27 Sterling Rd	439-7171	2tureo@comcast.net
	CHRISTINE GREEN	16 Sterling Rd	617 323-2340	COMET2K@aol.com
	Alberto Clark	150 State Rd	207-439-2217	
	CHARLES CLARK	150 State Rd		
	PETER S DUCHESNE	154 STATE RD	603-799-2961	
	Linda Roksznis	156 State Rd.	207 439-4209	
	RONALD LETZT	9 PALMER AVE	603 969 6103	
	Regina Sunderlin	12 Palmer Ave	207 439-4828	
	JONATHAN YOUTZ	1 Palmer Ave	603 944 0670	
	CHRISTINE HUNTER	6 CREEK CROSSING	439 2258	
	Carley O'Brien	151 State rd	439-9230	
	Phil Walsh	143 State Rd	439-1070	
	Anne Hunter	139 State Rd	439-8869	
	Bertrand R Raymond	129 State Rd	603-817-9580	
		8 Maple	439 252 2696	

KITTERY RESIDENT PETITION TO REDUCE THE SPEED LIMIT ON SUGGESTED ROADWAYS





Palmer Avenue viewing south

220 feet



Sterling Road viewing south

490 feet



Sterling Road viewing north

215 feet



Maple Avenue viewing north

300 feet



Maple Avenue viewing south

235 feet



Page Street viewing north
235 feet



132 State Road viewing north
140 feet

AASHTO Standards

Table 4.3. Minimum Recommended Sight Distances Based on Vehicle Maneuver

Vehicle Speed (mph)	Stopping Sight Distance for Left-Turn Maneuver (feet)	Stopping Sight Distance for Crossover and Right-Turn Maneuvers (feet)
15	170	145
20	225	195
25	280	240
30	335	290
35	390	335
40	445	385
45	500	430
50	555	480
55	610	530

Table 4.4. Minimum Required Stopping Sight Distances

Vehicle Speed (mph)	Reaction Distance (feet)	Braking Distance (feet)	Summed Distance (feet)	Stopping Sight Distance (feet)
15	55.1	21.6	76.7	80
20	73.5	38.4	111.9	115
25	91.9	60.0	151.9	155
30	110.3	86.0	196.7	200
35	128.6	117.6	246.2	250
40	147.0	153.6	300.6	305
45	165.4	194.4	359.8	360
50	183.8	240.0	423.8	425
55	202.1	290.3	492.4	495

Urban Compact Areas: State vs Municipal Maintenance Responsibilities on State and State Aid Highways

Town Maintenance in Compact Areas, State Statute and Definitions

- [Title 23 § 754](#): Jurisdiction-- all state and state aid highways within compact areas of urban compact municipalities, as defined in [subsection 2](#), as determined by the department must be maintained in good repair by the town in which the highways are located at the expense of the town.
- [Per 23 § 2](#): the definition of "highway" means all of the right-of-way that may have been laid out by the State, county or town.

Municipal Urban Maintenance Duties

- Winter snow & ice control
- Pothole repair
- Pavement markings per MUTCD (centerline, arrows, words, symbols, crosswalks and edgeline (if any))
- Traffic Signs per MUTCD (regulatory, warning, and advisory)
- Ditching
- Driveway and cross culvert cleaning, repair, and replacement
- Catch basin and underdrain cleaning and repair
- Surface treatments i.e. sand seals, chip seals, crack sealing, asphalt shimming, thin overlays (typically less than 1 inch thick and do not improve strength)
- Traffic signal/Support/Foundation maintenance
- Guardrail installation or repair
- RR signs and pavement markings
- Brush cutting, erosion control, mowing, herbicide application
- Tree pruning or removal
- Retaining walls
- Sidewalk maintenance
- Dust control, street sweeping

MaineDOT Maintenance Duties

- Route and destination signs
- Bridge and minor span maintenance
- Speed Limit signs on state or state aid highways when first installed or when changed due to recent DOT review

Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 19: OPERATION
Subchapter 1: RULES OF THE ROAD

§2073. Authority to regulate speeds

1. Authority to regulate. Except as provided in section 2075, subsection 2 and notwithstanding section 2074, subsection 1, the **Commissioner of Transportation, with the approval of the Chief of the State Police**, may:

A. Restrict the maximum rate of speed on a public way where a speed limit will minimize the danger of accident, promote the free flow of traffic, conserve motor fuel or respond to changes in federal laws; [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

B. Increase the maximum rate of speed on a public way where higher speeds are warranted to promote the normal and reasonable movement of traffic; or [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

C. Make an adjustment of maximum rates of speed. An adjustment under this paragraph is exempt from the provisions of the Maine Administrative Procedure Act.

The commissioner may not set maximums that exceed 60 miles per hour or, on the interstate system or other divided controlled-access highways, 75 miles per hour.

The commissioner may not set maximums for the Maine Turnpike. [2013, c. 107, §1 (AMD).]

[2013, c. 107, §1 (AMD) .]

2. Municipal request. If a municipal request to the Department of Transportation to change a speed limit is denied, the department shall inform the municipality in writing of the reasons for that denial and shall offer to meet with the municipal officials in that municipality to review those reasons. The municipality may request the department to hold a public hearing within the municipality to provide the department with the views of the public on the requested speed limit change. The department shall:

A. Hold the hearing within 30 days of the request; and [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

B. Inform the municipality of a final decision on the requested speed limit change within 30 days after the hearing. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

[1999, c. 160, §1 (AMD) .]

3. Prohibition. A person may not operate a vehicle in excess of maximum speeds fixed pursuant to this section, as long as notice of changes in speed limits has been given by signs erected by the Department of Transportation.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

4. Other ways. The Department of Transportation is not required to erect speed signs on a town way, unimproved state aid highway or on a way constructed to interstate standards.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

Title 29-A: MOTOR VEHICLES AND TRAFFIC
Chapter 19: OPERATION
Subchapter 1: RULES OF THE ROAD

§2075. Other speed regulations

3. Municipal authority. Except as provided in this subsection, a municipality may not alter a speed limit or enact or enforce a regulation contrary to this Title. A municipality may:

A. Regulate traffic by means of signal devices or other appropriate methods on a way on which traffic is heavy or continuous; [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

B. Limit traffic to one-way traffic on a way, subject to Title 23, section 1351; [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

C. Regulate speed of vehicles in public parks by erecting at all entrances to the park adequate signs giving notice of the special speed regulations; [2001, c. 313, §1 (AMD).]

D. With the approval of the Department of Transportation and the Chief of the State Police, increase or decrease the speed limit on through ways by erecting standard signs giving notice of the speed limit in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration; [2003, c. 92, §2 (AMD).]

E. Subject to the provisions of this paragraph, if it is a qualifying municipality, set speed limits on qualifying roads. As used in this paragraph, "qualifying municipality" means a municipality that has a population of 2,500 or more as measured by the latest decennial United States census or that employs a professional engineer licensed in this State. As used in this paragraph, "qualifying road" means a town way that is classified as local by the Department of Transportation in accordance with the federal functional classification system.

If a qualifying municipality decides to set speed limits in accordance with this paragraph, the municipality shall provide written notice of that determination to the Commissioner of Transportation and shall set speed limits for all qualifying roads in that municipality.

Unless otherwise approved as provided in paragraph D, speed limits set by a municipality must be in 5-mile-per-hour increments within the following ranges:

- (1) From 20 to 25 miles per hour, inclusive, regarding roads in a business or residential district or a compact area, except that the lower limit may be set at 15 miles per hour on roads on islands not accessible by road or dead end roads less than 1/4 mile in length; and
- (2) From 30 to 50 miles per hour, inclusive, regarding roads in all other areas.

Prior to establishing a speed limit, the municipality must perform a traffic investigation that reviews the factors identified in the applicable sections of the Manual on Uniform Traffic Control Devices. The municipal officers shall validate that speed limit in accordance with the procedure for establishing municipal traffic ordinances set forth in Title 30-A, section 3009, post standard speed limit signs in accordance with the Manual on Uniform Traffic Control Devices and provide written notice of that speed limit zone to the Commissioner of Transportation on forms approved by the Department of Transportation.

The Department of Transportation may require a municipality with a population of 5,000 or more as measured by the latest decennial United States census that has not provided written notice to the department that the municipality will set speed limits in accordance with this paragraph to provide the department with all data necessary to set such speed limits. The nature, extent and form of that data must be acceptable to the department and may include, without limitation, the reason for the request, length and location of the proposed speed zone, road width, number of driveways in that zone, traffic volume, posted speed, prevailing speed as measured by radar, accident history and speed enforcement efforts; and [2003, c. 92, §3 (AMD).]

F. With the approval of the Department of Transportation and the Chief of the State Police, and in accordance with the latest edition of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration, designate a school zone to which the speed limits in section 2074, subsection 1, paragraph A apply. [2003, c. 92, §4 (NEW).]

[2003, c. 92, §§2-4 (AMD) .]

4. Speed measurement. The results of a measurement of the following instruments must be accepted as prima facie evidence of the speed of a motor vehicle in a criminal or traffic infraction proceeding:

A. Radar; [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

B. An electronic device that measures speed by radiomicrowaves, laser or otherwise; or [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

C. A device that measures, in any sequence, a selected distance traversed by a motor vehicle operated by the law enforcement officer and the time required by another motor vehicle to traverse that same distance, and computes therefrom the average speed of the other vehicle. [1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF).]

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

5. Signs. The presence of signs is prima facie evidence that those signs were erected, that they provide the notice required and that the speeds indicated were fixed in accordance with this chapter.

[1993, c. 683, Pt. A, §2 (NEW); 1993, c. 683, Pt. B, §5 (AFF) .]

Road Classification: What it means to a Municipality

What is a 'State Aid Road'?

What is the difference between an arterial and a collector?

Can a road classification be changed?

The concepts of 'Highway Functional Classification' and 'State Highway System' can be confusing and are easily misinterpreted. The expressions 'local road' and 'town way' may sound interchangeable and are often used to describe the same road; however, they mean very different things. What is important to realize about these two terms is that the first describes the federal road classification and the second describes the corresponding state system. The difference between the two categorizations is simple: Federal Functional Class (FFC) describes the functionality and geographical characteristics of a road based upon federal guidelines; and, State Highway System identifies which entity (State or local) is responsible for maintenance and capital expenditure of that road.

The proper classification of all roads is important to towns because it ensures that Federal, State, and local highway funds are spent on the proper roads. In addition, Urban-Rural Initiative Program (URIP) funds are calculated using these classifications and systems. The State Highway System also establishes highway and bridge maintenance responsibilities and determine authority on traffic ordinances and other related issues.

What are the Federal Functional Classifications and State Highway Systems?

Functional classification is the process by which public streets and highways are grouped into classes according to the character of service they are intended to provide. Generally, highways fall into one of three broad categories:

- Arterials serve countywide, statewide or interstate travel, linking cities and large towns to an integrated highway network. As a general rule of thumb, speeds on the arterial system are relatively high, although speeds may be lower through urban areas. Volumes of traffic typically range from thousands to tens of thousands of vehicles per day. Arterials are further divided between principal and minor arterial roads.
- Collectors link smaller towns, villages, neighborhoods, and major facilities to the arterial network. Traffic is collected from local residential roads and delivered to the nearest arterial. Daily traffic volumes generally range in the thousands. Collectors are divided between rural and urban collector roads. As a further division, rural collectors are divided between major and minor collector roads.
- Local roads provide direct access to residential neighborhoods, local businesses, agricultural properties and timberlands. Volumes typically range from less than one-hundred to possibly thousands of vehicles per day. Roads not classified as arterials or collectors are considered local roads.

The State Highway System determines maintenance responsibility. The State Highway System is grouped into three categories:

- State Highways form a system of connected routes throughout the state that primarily serve intra- and interstate traffic. With the exception of compact areas, the MaineDOT has

responsibility for the year-round maintenance of state highways. The State Highway category generally corresponds with the federal 'arterial' classification.

- State Aid Highways connect local roads to the State Highway System and generally serve intracounty rather than intrastate traffic movement. With the exception of compact areas, state aid roads are usually maintained by MaineDOT in the summer and by the municipalities in the winter pursuant to [State Law 23 MRSA 1003](#). The State Aid Highway category generally corresponds with the federal 'collector' classification.
- Town ways are all other highways not included in the State Highway or State Aid Highway classifications that are maintained by municipalities or counties. These roads are classified as federal 'local' roads.

How does MaineDOT determine the functionality of a road?

As development occurs and populations shift, the functionality of roads may change. For this reason the MaineDOT has established guidelines, based upon Federal Highway Administration criteria, for the functional classification of all road types. The following guidelines are used to make a distinction between Collector (State Aid) and Local (Town way) Roads:

- Land Use: How is the land presently being used? Is it being used for business purposes that generate significant amounts of traffic or is it used for agricultural or residential purposes?
- Relative Annual Average Daily Traffic (AADT): On an average day, how many, what type, and for what purposes are vehicles using this road?
- Trip Length: Are a majority of travelers using this road for short trips originating or terminating at locations in the local area or as a road to pass through the region?
- Network Configuration & Continuity: How does this particular road fit within the present road network? Does the present classification of roads in the surrounding geographical area allow for the efficient movement of traffic through the area?
- Route Spacing: Is this particular road spaced correctly within the geographical area to provide good opportunities for travelers to reach, specific locations on well maintained and safe roadways?

View the complete Maine Department of Transportation's "Rule # 304" on determining the function of roadways, particularly those classifications that are on the dividing line between State and Local responsibility:

- [Rule#304](#) (PDF)

In order to qualify for collector status, a road must generally meet at least three of these five criteria and function as a collector on a regional basis. It should also be noted that traffic activity (AADT) accounts for only one of the criteria. Other factors like network configuration, land use, Trip Length, and Route Spacing are given equal consideration during the functional class review of roads.

If a Municipality feels that the function of a road has changed, a written request must be submitted by Municipal Officials to the Commissioner of MaineDOT. If you have any questions on the process you can call Community Services Division at 207-624-3270.

Chapter 304: CRITERIA FOR THE FUNCTIONAL CLASSIFICATION OF HIGHWAYS

SUMMARY: Public Law 1981, Chapter 492, Part C, Section 28-1 requires a reclassification of all public highways in the State by July 1, 1982, in accordance with the Revised Statutes, Title 23, Section 53. 23 M.R.S.A. Section 53 (as amended) defines three classifications of highways. State Highways are comprised of a system of connected main highways throughout the State which primarily serve arterial or through traffic. State Aid Highways are highways which are not included in the system of State Highways which primarily serve as collector and feeder routes connecting local service roads to the arterial State Highway System. Town ways comprise all other highways not included in the State Highway or State Aid classifications which are maintained by Towns and primarily serve as local service roads providing access to adjacent land.

When the Local Road Assistance Program, (or Block Grant Program) was enacted by Public Law 1981, Chapter 492 the principal was recognized that roads which primarily serve regional or statewide needs should be the State's responsibility and roads which primarily serve local needs should be a local responsibility. The function of all public highways was reviewed in 1975, but the concept of a local Road Assistance Program was not in existence at that time.

It is appropriate that, owing to the passage of time since the last review, and the desirability of affording communities another opportunity to review and comment on both the criteria and the resulting classifications, a new reclassification study as directed by the legislation, be conducted. This study would focus on the function of roadways, particularly those classifications that are on the dividing line between State and local responsibility, namely collectors and local service roadways, both in rural and urban areas. The existing functional classification of roadways in each category will be individually reviewed in order to determine whether the classification is currently appropriate.

The major objective of this rule is to develop criteria which will help to define the line of demarcation between collector roads and local service roads, which will, by the same token, define the line of demarcation between State Aid Roads and Town Ways. A secondary benefit will be a more general review of other functional classes on an exception basis.

304.01 THE ORIGINAL 1975 FUNCTIONAL CLASSIFICATION CRITERIA

A. Rural

Rural principal arterial system

The rural principal arterial system consists of a connected rural network of continuous routes having the following characteristics:

1. Serve corridor movements having trip length and travel density characteristics indicative of substantial statewide or interstate travel.
2. Serve all, or virtually all, urban areas in Maine.
3. Provide an integrated network without stub connections except where unusual geographic or traffic flow conditions dictate otherwise (e.g., international boundary connections and connections to coastal cities).

The principal arterial system is divided into the following two categories:

1. Interstate System. The Interstate subclassification consists of all presently designated routes of the interstate System.
2. Other principal arterials. This subclassification consists of all non-Interstate principal arterials.

Rural minor arterial road system

The rural minor arterial road system should, in conjunction with the principal arterial system, for a rural network having the following characteristics:

1. Link cities and larger towns (and other traffic generators, such as major resort areas, that are capable of attracting travel over similarly long distances) and form an integrated network providing interstate and intercounty service.
2. Be spaced at such intervals, consistent with population density so that all developed areas of the State are within a reasonable distance of an arterial highway.
3. Provide (because of the two characteristics defined immediately above) service to corridors with trip lengths and travel density greater than those predominately served by rural collector or local systems.

Minor arterials therefore constitute routes whose design should be expected to provide for relatively high overall travel speeds, with minimum interference to through movement.

Rural collector road system

The rural collector routes generally serve travel of primarily intracounty rather than statewide importance and constitute those routes on which (regardless of traffic volume) predominant travel distances are shorter than on arterial routes. Consequently, more moderate speeds may be typical, on the average.

In order to define more clearly the characteristics of rural collectors, this system is subclassified according to the following criteria:

Major collector roads. These routes generally:

1. Provide service to any county seat not on an arterial route, to the large towns not directly served by the higher systems, and to other traffic generators of equivalent intracounty importance, such as consolidated schools, shipping points, county parks, important mining and agricultural areas, etc.;
2. Link these places with nearby larger towns or cities, or with routes of higher classification; and
3. Serve the more important intracounty travel corridors.

Minor collector roads. These routes are generally:

1. spaced at intervals, consistent with population density, to collect traffic from local roads and bring all developed areas within a reasonable distance of a collector road;
2. provide service to the remaining smaller communities; and
3. link the locally important traffic generators with their rural hinterland.

Rural local road system

The rural local road system should have the following characteristics:

1. Serve primarily to provide access to adjacent land; and
2. provide service to travel over relatively short distances as compared to collectors or other systems.

B. Urban

Urban principal arterial system

In every urban environment there exists a system of streets and highways which can be identified as unusually significant to the area in which it lies in terms of the nature and composition of travel it serves. In smaller urban areas these facilities may be very limited in number and extent, and their importance may be primarily derived from the service provided to travel passing through the area. In larger urban areas, their importance also derives from service to rural oriented traffic, but equally or even more important, from service for major movements within these urbanized areas.

This system of streets and highways, called here the urban principal arterial system, serves the major centers of activity of a metropolitan area, the highest traffic volume corridors, and the longest trip desires; and carries a high proportion of the total urban area travel on a minimum of mileage. The system is usually integrated, both internally and between major rural connections.

The principal arterial system carries the major portion of trips entering and leaving the urban area, as well as the majority of through movements desiring to bypass the central city. In addition, significant intra-area travel, such as between central business districts and outlying residential areas, between major inner city communities, or between major suburban centers is served by this class of facilities.

Frequently, the principal arterial system will carry important intraurban as well as intercity bus routes. Finally, this system in urbanized areas provides continuity for all rural arterials which intercept the urban boundary.

Because of the nature of the travel served by the principal arterial system, almost all fully and partially controlled access facilities is a part of this functional class. However, this system is not restricted to controlled access routes. In order to preserve the identification of controlled access facilities, the principal arterial system is stratified as follows: (1) Interstate, (2) other freeways and expressways, and (3) other principal arterials (with no control of access).

For principal arterials, the concept of service to abutting land is subordinated to the provision of travel service to major traffic movements. It should be noted that only facilities with the "other principal arterial" subclass are capable of providing any direct access to land, and such service should be purely incidental to the primary functional responsibility of this class of roads.

Urban minor arterial street system

The minor arterial street system interconnects with and augments 'the urban principal arterial system and provides service to trips of moderate length at a somewhat lower level of travel mobility than major arterials. This system also distributes travel to geographic areas smaller than those identified with the higher system.

The minor arterial street system includes all arterials not classified as principal and contains facilities that place more emphasis on land access than the higher system, and offers a lower level of traffic mobility. Such facilities may carry local bus routes and provide intracommunity continuity, but ideally should not penetrate identifiable neighborhoods. This system should include urban connections to rural collector roads where such connections have not been classified for internal reasons as urban principal arterials.

Urban collector street system

The collector street system provides both land access service and traffic circulation within residential neighborhoods, commercial and industrial areas. It differs from the arterial system in that facilities on the collector system may penetrate residential neighborhoods, distributing trips from the arterials through the area to the ultimate destination. Conversely, the collector street also collects traffic from local streets in residential neighborhoods and channels it into the arterial system. In the central business district, and other areas of like development and traffic density, the collector system may include the street grid which forms a logical entity for traffic circulation.

Urban local street system

The local street system serves primarily to provide direct access to abutting land and access to the other systems. It offers the lowest level of mobility and usually contains no bus routes. Service to through traffic movement usually is deliberately discouraged.

304.02 EXPANDED CRITERIA FOR FURTHER DELINEATION BETWEEN COLLECTORS AND LOCAL SERVICE FACILITIES

A. General

The original criteria used in 1975 serve well to distinguish arterial from collector highways. In order to make a distinction between collector and local highways, the following five criteria will be used in conjunction with the 1975 criteria:

1. Land Use
2. Relative Annual Average Daily Traffic (AADT)
3. Trip Length
4. Network Configuration and Continuity
5. Route Spacing

In all cases, if a route generally meets three out of the five criteria, with Land Use, Relative AADT, and Trip Length having a heavier weight in the criteria, then the route will be considered a collector.

If the above criteria are not applicable, then three additional criteria will be used to make a distinction between collector and local highways. In all cases, if a road meets all of the following three criteria, it will be designated a collector:

1. The road has a State Route Number assigned to it,
2. The road is within a city, town or plantation, and
3. The road provides direct access to a significant acreage of Maine Public Reserve Land.

If the above criteria are not applicable, then the following additional criteria will be used to make a distinction between minor collector and local highways. In all cases, if a road meets all of the following criteria, it may be designated a minor collector/State Aid:

In order to promote continuity in the state-aid highway system, and

1. Not withstanding any existing laws, rules and regulations, and
2. Subject to a signed petition representing the majority of municipal officers of the requesting municipality(ies), and
3. IF it enables the connection of a State Aid road presently NOT connected on one end to a State Highway or State Aid, and
4. IF the present TOWNWAY/LOCAL section is SHORTER than the connecting STATE AID in question,

Then, based on meeting ALL of the above criteria:

MDOT may, upon review, accept a road that is classified LOCAL / designated TOWNWAY to be a Minor Collector State Aid Highway.

In addition, overall Federal Highway Administration percentage guidelines for federal functional classes of Maine roads must be satisfied and this could affect any future reclassification efforts.

Current main office staff knowledge, Maintenance Division Engineers, and file information, supplemented by local input, will be used in the application of this and the following criteria.

B. LAND USE (Density of Development - Presence of Traffic Generators)

Land use criteria will be considered for those roadways and city streets which have previously been or would tend to be classified in the minor collector or local category.

1. Collectors or Arterials Generally Serve:

- a. Regional shopping
- b. Industrial parks and free standing manufacturing or processing plants employing a substantial number of persons.
- c. Recreational uses such as golf courses, marinas, horse racing tracks, and major boat landings.
- d. Institutional uses such as regional schools, colleges, and hospitals.
- e. Military bases or regional airports.

2. Roadways and streets classified as "Local" are expected to service the following land uses and minor traffic generators:

- a. Residential neighborhoods and strip residential development.
- b. Local businesses.
- c. Farms.
- d. Agricultural or timber lands.

C. RELATIVE ANNUAL AVERAGE DAILY TRAFFIC

The Annual Average Daily Traffic (A.A.D.T.) varies widely throughout the State due to heavily and sparsely populated areas. Therefore, Annual Average Daily Traffic per se is not a direct input for criteria in determining functional highway classifications, but will be used on a percentage basis relating the

individual communities' urban areas (inside the Maine Department of Transportation compact area) and the rural areas separately.

The highway functional classification indicated by this criteria will be determined by multiplying the average of the area's three (3) highest traffic volumes (latest existing area wide traffic volumes) by the following percentages:

Highway Classification Percent of Average Volume

Collector 16-39

Local 0-15

In determining the average of the three (3) highest volumes in urban areas, only one (1) of the three volumes will be taken from the Central Business District (CBD).

The resulting volume will be compared to available traffic information on specific facilities to categorize roadways into the above groups, under this criterion.

Additionally, the presence of heavy trucking will tend to associate with collector facilities. This will be considered to the extent information is available.

D. TRIP LENGTH

Trip Length will be incorporated into the study by considering the following:

Functional classification defines the role that any particular road or street serves in accommodating the flow of travel through a highway network. The following guidelines describe the type of travel generally associated with the various functional classes:

Collector Travel distances are shorter than those on the Arterial system. Primarily serves trips from local residential areas, commercial/industrial area, and locally important traffic generators such as, consolidated schools, hospitals, etc., to the arterial system.

Local Predominant travel distances are short. Predominantly serves travel from adjacent land areas to the arterial and collector systems.

Data to be used include ADT, available mapping, field reviews and local input.

E. NETWORK CONFIGURATION & CONTINUITY

Continuity and configuration of the functional systems will vary with population density. The following guidelines are general and may vary depending upon the type of area served by the roadway under consideration.

1. Collector System. Serves as local feeder routes connecting local service roads to the arterial systems. In urban areas routes on this system should be configured such that they serve the function of linking

residential neighborhoods, commercial/industrial areas and locally important traffic generators with the arterial systems. Generally collectors have no stub ends or do not include dead end roads. A traffic route number would generally associate with a collector.

2. Local Service System Consists of all roads not classified as Arterials or Collectors. These roads which can connect with any of the functional classes of roadway serve the function of carrying travel from adjacent land areas to the arterial and collector systems. No traffic route numbers are usually formed on local service-facilities.

Special care will be used in assuring continuity between rural and urban designations in the vicinity of compact lines and designation changes will be made at logical breaks in facility service. Generally, urban designations will be at least equivalent to rural designations at those transition points.

A review of area mapping and available aerial photography will generally establish the distinction between locals and collectors from a network configuration and continuity standpoint.

F. ROUTE SPACING - PARALLEL & SIMILAR FACILITIES

Routes on the Arterial System shall be spaced so that all developed areas of the State are within reasonable distance of an arterial highway.

Routes on the Collector System shall be spaced at intervals, consistent with population density to provide service to locally important traffic generators such as, consolidated schools, hospitals, etc.

Spacing of highways with like functional classification shall be evaluated to assure that their geographical distribution provides the desirable levels of service.

In the event parallel routes are determined to provide identical function, a determination will be made as to which of the routes predominate and other parallel route(s) will revert to the next lower functional classification.

Available mapping and aerial photography will provide the basis for use of this criterion.

G. PERCENTAGE GUIDELINES FOR FUNCTIONAL CLASSES

The following guidelines will determine the extent of functional systems and will be applied on a Statewide and on an individual urban area basis. The rural guidelines will also be applied on a county basis but a reasonable variation will be allowed, if offset by other counties so that the Statewide percentages are met. If the percentage guidelines indicate adjustments are desirable, a reevaluation of marginal roads in communities least affected by the reevaluation will be made in order to comply with the percentage guidelines on a statewide basis.

RURAL

System Percentage of Total

Rural Miles

Arterial System 6 - 12

Collector System 15 - 30

Local Road System 60 - 75

URBAN

System Percentage of Total

Rural miles

Arterial System 15 - 25

Collector System 5 - 10

Local Road System 65 - 80

304.03 APPLICATION OF CRITERIA

Both the original criteria and expanded criteria will be used in the reclassification process. Maximum use of existing information and volunteered local input will be made. Limited data acquisition may be possible in special cases. Office information supplemented as necessary with field review and local input is expected to provide an adequate basis for the reclassification review. Street pattern and culture will be taken from the extensive mapping base maintained at the Augusta offices. Extensive staff and maintenance field division engineers' knowledge, expertise, and judgment will be used in the application of the criteria. The designations will be made on the basis of best total fit of all criteria as opposed to meeting or not meeting any single criterion.

After the functional classification review has determined the appropriate functional classification for each facility, the State Highway-State Aid-Town Way designation will be made as follows:

With particular reference and care to Section 53, part C of Public Laws of 1981, Chapter 492, local service facilities will be designated Town Ways, collector facilities and arterial facilities will be designated either State Aid Highways or State Highways; the functional classification and the historical criteria used for designating State Highways will be used to distinguish between State Aid and State Highway classifications.

The expanded criteria will be weighted as follows:

Land Use 1.3

A.A.D.T. 1.3

Network Configuration 1.0

Trip Length 0.9

Route Spacing 0.9

The weights assigned reflect the applicability and relative reliability of available data and the relationships between the criteria and functional use. Percentage guidelines for functional classes are not weighted as this criteria cannot be applied on an individual roadway basis.

STATUTORY AUTHORITY: Maine Transportation Act, 23 M.R.S.A. 4201 et seq.; 23 M.R.S.A. 53 (as amended); P.L. 1981, c.492, Part §28.

EFFECTIVE DATE: November 15, 1981. Adopted by the Commissioner of the Maine Department of Transportation on October 27, 1981 and filed with the Secretary of State on November 10, 1981.

EFFECTIVE DATE (ELECTRONIC CONVERSION): April 24, 1996

AMENDED: December 9, 1997 - Section 2(A).

NON-SUBSTANTIVE CORRECTIONS: January 9, 1998 - minor punctuation and formatting.

AMENDED: July 31, 2000

Effective Date: October 4, 2006

MAINE DEPARTMENT OF TRANSPORTATION

Description of State Maintenance Boundary Lines established for delimiting the urban area of

Kittery, York County, Maine

Kittery

Beginning at the junction of U.S. Route 1 and Lewis Road; thence, southwesterly via the southeasterly right-of-way of U.S. Route 1 to Haley Road; thence, southerly along the northeasterly right of way of Haley Road to the intersection of Haley Road and Bartlett Road; thence, easterly to Tenney Hill Road (State Route 103) 1.06 mile northerly of Cutts Island Lane; thence, northerly along the westerly right of way of State Route 103 (Brave Boat Harbor Road) to the York-Kittery town line, thence southerly along the easterly right of way of State Route 103 (Brave Boat Harbor Road) to a point 1.06 mile northerly of Cutts Island Lane; thence, southerly to a branch of Chauncey Creek; thence, southerly via said branch to Chauncey Creek; thence, westerly via said Creek to its confluence with the Piscataquis River (Maine-New Hampshire State Line);

Thence, westerly and northerly via said River and State Line to the Eliot-Kittery town line; thence, northerly along the Eliot-Kittery Town line to north of the State Route 103 bridge over Spinney Creek; thence, northeasterly to the end of Old Dennett Road East (terminated by construction of I-95); thence, southeasterly to a point on Dennett Road 0.05 mile northerly of Eliot Road: thence, northeasterly to the northerly right-of-way of U.S. 1 Bypass southbound at the intersection of the Route 236 SB On-ramp; thence, northwesterly along the westerly right of way of State Route 236 to the intersection of McKenzie Lane; thence southerly along the easterly right of way of State Route 236 to the northerly right-of-way of U.S. 1 Bypass southbound; thence, northeasterly via the northwesterly right of way of US Route 1 to the intersection of Wilson Road (State Route 101); thence, northerly along the northwesterly right of way of Wilson Road to the Eliot Town Line; thence, crossing Wilson Road and southerly along the easterly right of way of Wilson Road to the intersection of US Route 1; thence, northeasterly via the northwesterly right-of-way of U.S. Route # 1 to Lewis Road, the point of beginning.

Also, a section on Dennett Road, beginning at the Eliot Town Line and extending southeasterly 0.47 mile.

Note: Bridges, if any, bisected by the State Maintenance Line are in the rural area.



Council Members
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

July 28, 2018

Dear Council Members:

On Sunday October 21, 2018 from 4:00 – 8:00 p.m. we are holding a special event at the Black Birch Restaurant and Buoy Gallery, "Foreside for Fuel", to raise funds and awareness of Kittery's Fuel & More program.

The Black Birch has again enthusiastically come forward as our host and major sponsor for our evening event.

In addition, many of our local restaurants, especially those in the Foreside, have already voiced their willingness to donate food and we have contracted with a local band, The Chris Klaxton Group, to provide musical entertainment.

We are requesting your approval to hang a banner across Rogers Road from October 1st through October 22nd. The banner will be of similar dimensions as our banner from last year.

Please let me know if you have any questions or concerns. I can be reached by cell: 603-498-1569 or via email: lbrowning@mortgagenetwork.com.

We are very excited about the potential success of this event and hope you will all plan to join us.

Kind regards,

A handwritten signature in blue ink that reads "Linda J. Browning".

Linda J. Browning
On Behalf of the Fuel & More Board

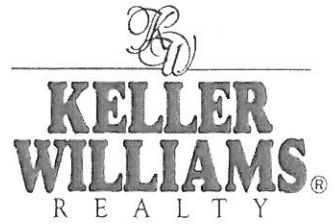
Cc: Susan Esposito

HELPING KITTERY FAMILIES STAY WARM

207-703-8288

www.fuelandmore.org PO Box 754, Kittery, ME 03904

Fuel & More is a 501(c)(3) volunteer-run nonprofit.



August 6, 2018

To Kittery Town Council,

Thank you so much for taking the time to review our request. On behalf of Keller Williams Coastal, Lakes and Mountains Realty, I would like to request permission to host an event to benefit 68 Hours of Hunger. Please see event details listed below.

Date - Sunday, October 14, 2018

Location – Tributary Brewing Company (see map of route)

Event times –

Opening ceremony 1030am

Walk time – approximately 10-20 minutes

Closing ceremony 11am

Event Set up – 8am

Clean up -directly following event

Tributary Brewing Company has given us permission to use their parking lot.

Our goal is to have 50 participants. Though this event would be open to the public, meaning we wouldn't turn anyone away that wanted to donate and walk, we will not be recruiting from the public. We will not be hanging posters around town. Our intent is that our agents and some clients will participate in the walk.

We will have a fee to participate of \$25 each. Each participant will receive one drink ticket and a t-shirt for their donation.

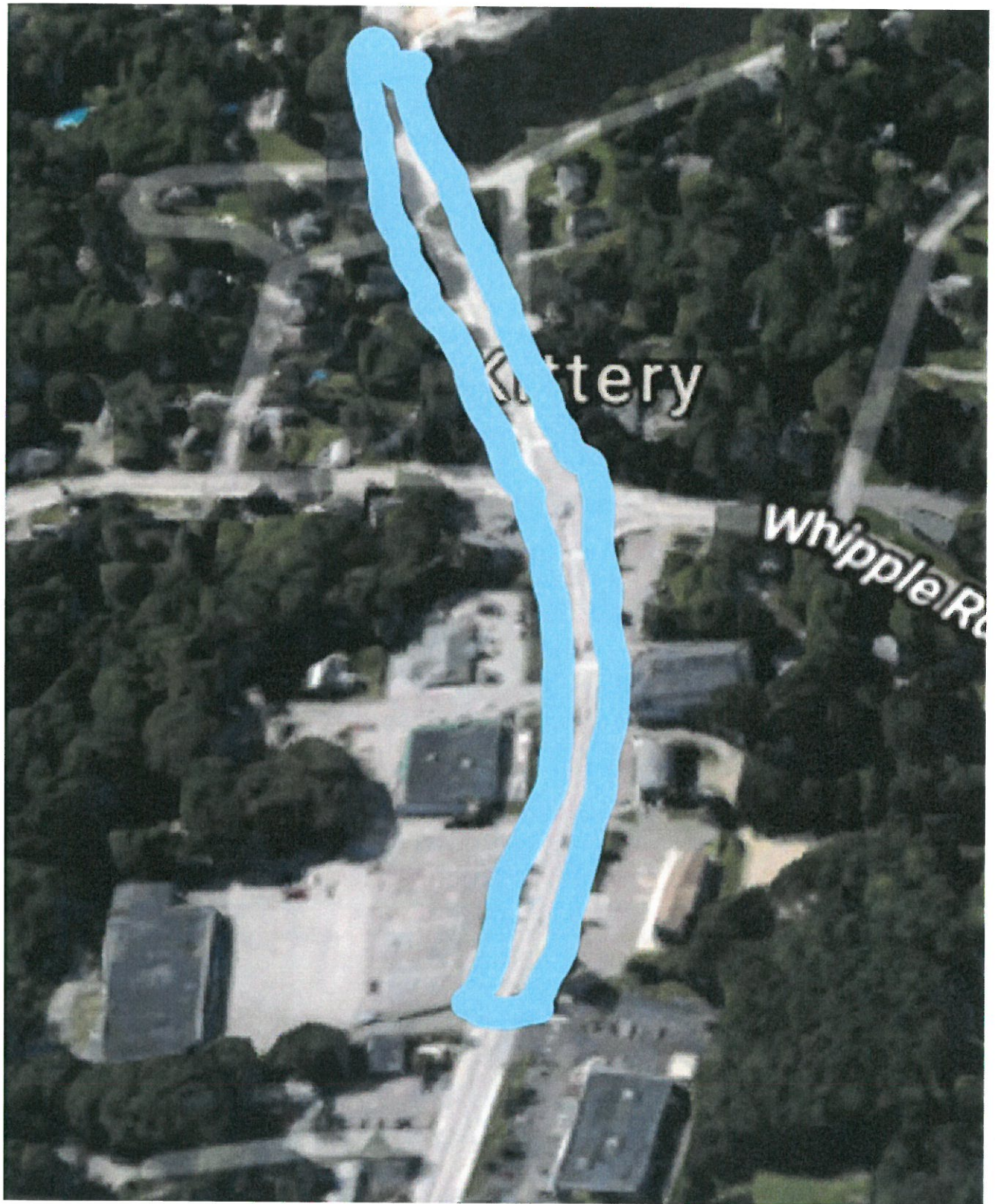
There are crosswalks at each crossing spot. I would gladly have a brightly vested volunteer at the crosswalks too assure safety. We will also provide insurance as well.

Thank you for your time and consideration. I look forward to hearing from you.

Tara Dickey

603-380-2544

tdickey@kw.com



DRISCOLL REALTY, INC.

P O BOX 207 KITTERY POINT ME 03905

August 16, 2018

Town of Kittery
Town Council
200 Rogers Road
Kittery, Maine 03904

RE: KELLER WILLIAMS WALK TO END 68 HOURS OF HUNGER

Dear Kittery Town Council,

Driscoll Realty, Inc. hereby gives permission to The Equity Group at Keller William "New England Coastal Realty" to have a Walk to Support 68 Hours of Hunger on October 14, 2018 beginning and ending at Post Office Square, 10 Shapleigh Road.

Thank you for your support,

Debbie Driscoll
Property Manager
Driscoll Realty, Inc.
(207)439-7502



An event to benefit the Kittery K-8 PTA | Serving students, faculty and community

July 23, 2018

Dear Ms. Kendra Amaral;

The Kittery K-8 PTA is planning to host its eighth annual Kittery PTA Seaside 4 Miler, September 23, 2018, at Fort Foster. For the past 7 years, the PTA has hosted this event at Fort Foster and it has been a huge success! The race starts and finishes by the parking lot in Fort Foster, a wonderful way to show off the beauty Kittery has to offer.

I am writing to ask you for your permission to host the road race at Fort Foster again this year.

We are proud to say that last year the Seaside 4 Miler had over 150 runners and walkers from Kittery and around New England in attendance and raised \$4,000.00 for the Kittery School Department. While last year's event was a success, this year our fundraising goal is much greater. Your permission to host the 4-miler at Fort Foster will not only help with our PTA fundraising goals but will once again provide a healthy event for kids, parents and families in our community.

Thank you for considering my request and look forward to speaking with you soon. Please feel free to contact me at your convenience.

Respectfully,

Sybil Carven
Seaside 4 Miler Race Director
Home: 439-5918
Cell: 603-770-8087
sybil.carven@comcast.net

August 9, 2018

Town of Kittery
Attn: Town Council
200 Rogers Road Ext.
Kittery, ME 03904

Dear Sirs and Madams,

We are writing to request permission to hold two special events this fall. The first is to celebrate Tributary's 4th Anniversary on Saturday, September 8, 12 noon to 8 pm. The second is for the release of Mott the Lesser on Saturday, October 13, 12 noon to 8 pm.

It is necessary to gain the Town of Kittery's permission in order to get a permit from the State of Maine to extend the bonded area to a tent outside our tasting room. Our landlord, Driscoll Realty, has given us approval and is prepared to write a letter to this effect.

Tributary will have a 20' x 30' tent, portable bathroom, and one day food vendor(s). The event on September 8 will include outdoor music by local performers. We will hire a police detail for both events. We will also notify our business & immediate residential neighbors of the event.

We respectfully submit this request.

Sincerely yours,

A handwritten signature in blue ink that reads "Galen Mott". The signature is stylized with a large, flowing 'G' and a cursive 'Mott'.

Galen & Tod Mott
Owners
Tributary Brewing Co.

DRISCOLL REALTY, INC.
P O BOX 207 KITTERY POINT ME 03905

August 15, 2018

Town of Kittery
Town Council
200 Rogers Road
Kittery, Maine 03904

RE: UPCOMING TRIBUTARY BREWING COMPANY EVENTS

Dear Kittery Town Council,

Driscoll Realty, Inc. hereby gives permission to Tributary Brewing Company to host it's 4th Anniversary Event on September 8, 2018 and "Mott the Lesser" release on October 13, 2018 at Post Office Square, 10 Shapleigh Road..

Thank you for your support,

Debbie Driscoll
Property Manager
Driscoll Realty, Inc.
(207)439-7502



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

PLEASE CHECK THE APPROPRIATE SQUARE:



APPLICATION FOR RE-APPOINTMENT TO TOWN BOARDS



APPLICATION FOR APPOINTMENT FROM ALTERNATE TO FULL MEMBER

NAME: Steve Lawrence
RESIDENCE: Kittery Point MAINE U.S.A.
MAILING (if different): 14 Charles Hill Road
E-MAIL ADDRESS: ABSOLUTELY NONE
PHONE #: (Home): _____ (Work) 207-475-4649
PRESENT POSITION: KPA

PLEASE CHECK APPROPRIATE SQUARE:

- | | |
|--|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other: _____ |

Please read the back of this application before signing.

COMMENTS:

[Signature]

SIGNATURE OF APPLICANT

8/2/18

DATE

Title 30-A: MUNICIPALITIES AND COUNTIES

§2605. Conflicts of interest

1. Voting. The vote of a body is voidable when any official in an official position votes on any question in which that official has a direct or an indirect pecuniary interest.

4. Direct or indirect pecuniary interest. In the absence of actual fraud, an official of a body of the municipality, county government or a quasi-municipal corporation involved in a question or in the negotiation or award of a contract is deemed to have a direct or indirect pecuniary interest in a question or in a contract where the official is an officer, director, partner, associate, employee or stockholder of a private corporation, business or other economic entity to which the question relates or with which the unit of municipal, county government or the quasi-municipal corporation contracts only where the official is directly or indirectly the owner of at least 10% of the stock of the private corporation or owns at least a 10% interest in the business or other economic entity.

When an official is deemed to have a direct or indirect pecuniary interest, the vote on the question or the contract is not voidable and actionable if the official makes full disclosure of interest before any action is taken and if the official abstains from voting, from the negotiation or award of the contract and from otherwise attempting to influence a decision in which that official has an interest. The official's disclosure and a notice of abstention from taking part in a decision in which the official has an interest shall be recorded with the clerk or secretary of the municipal or county government or the quasi-municipal corporation.

A. This subsection does not prohibit a member of a city or town council or a member of a quasi-municipal corporation who is a teacher from making or renewing a teacher employment contract with the municipality or quasi-municipal corporation for which the member serves.

6. Avoidance of appearance of conflict of interest. Every municipal and county official shall attempt to avoid the appearance of a conflict of interest by disclosure or by abstention.



JUL 26 2018

By 11:32 AM

RECEIVED

JUL 26 2018

TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

PLEASE CHECK APPROPRIATE SQUARE:

- ☒ **APPLICATION FOR RE-APPOINTMENT TO TOWN BOARDS**
- ☐ **APPLICATION FOR APPOINTMENT FROM ALTERNATE TO FULL MEMBER**
- ☐ **APPLICATION FOR APPOINTMENT FROM FULL MEMBER TO ALTERNATE**

NAME: Charles C. Patten _____

RESIDENCE: 86 Wilson Rd. Kittery, ME 03904 _____

MAILING ADDRESS IF DIFFERENT FROM ABOVE: _____

E-MAIL ADDRESS: CharliePatten@comcast.net_

TELEPHONE NUMBERS: (HOME) 2074391589 (CELL) 2073373022_

PRESENT POSITION: Member _____

PLEASE CHECK APPROPRIATE SQUARE:

- | | | |
|--|--|---|
| <input type="checkbox"/> Board of Appeals | <input checked="" type="checkbox"/> Port Authority | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Planning Board | <input type="checkbox"/> Shellfish Conservation Comm. |
| <input type="checkbox"/> Board of Assessment Review | <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Other _____ | |

COMMENTS: _____

Please read the back of this application before signing.


SIGNATURE OF APPLICANT


DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED

JUL 03 2018

BY: MEM

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: William C. Peirce

RESIDENCE: 53 Rogers Road

MAILING (if different)

E-MAIL ADDRESS: wf5@yahoo.com PHONE #: (Home) 2074519171 (Work)

Please check your choices:

- | | |
|--|--|
| <input type="checkbox"/> Board of Appeals | <input checked="" type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other |

EDUCATION/TRAINING: Real Estate broker in CA and MA

RELATED EXPERIENCE (Including other Boards and Commissions) Sewer Assesment Appear

PRESENT EMPLOYMENT: landlord

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: I am 30 days late paying one of my property tax

REASON FOR APPLICATION TO THIS BOARD: General interest in the process. As an alterna
I HAVE ☐ HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION
IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL
ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

SIGNATURE OF APPLICANT

July 3rd 2018

DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED

JUL 10 2018

BY: *[Signature]*

10:00
AUG

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Bradford G. Connolly
RESIDENCE: 70x Point Drive Kittery, Maine 03904
MAILING (if different) _____

E-MAIL ADDRESS: bradfordconnolly58@gmail.com PHONE #: (Home) 207-703-0628 (Work) 603-860-0452

Please check your choices:

- | | |
|--|--|
| <input type="checkbox"/> Board of Appeals | <input checked="" type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: BA Biology, Masters of Education Surveying course work & GIS course work
RELATED EXPERIENCE (Including other Boards and Commissions) _____

PRESENT EMPLOYMENT: Administrative Assistant for Rania Elsherif Real Estate LLC
ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: NONE

REASON FOR APPLICATION TO THIS BOARD: _____
I HAVE ☐ HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

Bradford G. Connolly
SIGNATURE OF APPLICANT

4 JULY 2018
DATE



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Neighborhood Mixed Use Zone (Business Park Zone)
Councilor Sponsor: Chairperson Kenneth Lemont

Following an extensive review and development process, the administration, in collaboration with the Kittery Open Space Advisory Committee (repurposed for this effort), and the Economic Development Committee, is pleased to be advancing zoning amendments to the former Business Park Zone. These amendments were developed to support investment in and build-out of one of Kittery's primary "target growth areas".

OVERVIEW

Business Park Use Study

In 2016, the Economic Development Committee was fielding information from a parcel owner within the Business Park Zone about potential development opportunities. The owner was seeking town support to utilize the Tax Incentive Financing district to invest in roads, water, and power access to his parcel. At the time, the EDC wished to better understand the opportunities and challenges with development of the whole zone, prior to providing the Council with a recommendation on the specific request. The EDC and Council agreed to pursue a land-use study as a prudent next step.

In 2017, Southern Maine Planning and Development Commission was engaged to conduct the land-use study. The scope included identifying the build-out options for the full zone and determine the best possible layout for roads, access to water, and three-phase power to support that build-out. The consultant team, working with staff and the owners of the parcels, evaluated the physical conditions of the land, the zoning regulations, and the market opportunities.

The study was completed in August of 2017. Its primary conclusion was that the wetlands and vernal pools serve as the most significant impediment to development in the zone. The zoning regulations further restricted the site, such that beneficial development was all but stifled. Recommendations included adjusting zoning to maximize the limited pockets of developable land that existed between the wetlands.

The complete study was provided to the Council and is available on our Projects tab on our website.

Zoning Amendment Development

In July of 2017, the Council was advised of the plan to utilize the Kittery Open Space Committee as a working group to develop ideas on zoning amendments for the Business Park zone. KOSAC includes representatives from a majority of the land-use focused boards, commissions, and committees in town including Council, Planning, Board of Appeals, Conservation Commission,

Economic Development Committee, Parks Commission, Kittery Land Trust, and the Comp Plan Update Committee. Over the fall and winter, KOSAC worked with staff on the zoning amendment. The result is a new “Neighborhood Mixed-Use” zone in place of the Business Park Zone.

KOSAC’s work was guided by the understanding that the zone is designated as a targeted growth area, the majority of the land is undevelopable due to wetlands, and this particular area of town is truly a fitting place for new growth given its location, its natural buffers with other neighborhoods, and its access to major road systems. KOSAC finalized their process in February, supporting the main principals of the zoning amendment being brought forward.

Neighborhood Mixed-Use (Business Park Zone)

Attached is the draft zoning for the Neighborhood Mixed Use. Our goal is to see an area that attracts a diverse demographic of residents, workers and visitors. The zone:

- Establishes pockets of population and street-level activity surrounded by large amounts of natural open space;
- Incentivizes Best Management Practices (BMPs) and Low Impact Development (LIDs) practices for stormwater management through wetland setback bonuses;
- Supports the town’s interests in wetland protection and eliminates drawn out disputes and costly peer reviews of wetland evaluations by requiring the wetland professional on a project to be selected by the town;
- Maximizes the limited uplands for development through higher density options;
- Allows mixed-use and multi-unit residential development instead of single-family units;
- Encourages vibrant street-level activity through setback standards, incentivized parking under buildings, and “liner-building” buffers;
- Incentivizes paths and trails through parking requirement bonuses.

Also attached is the draft zoning boundary amendment proposal. Our primary goal with the boundary amendment is to have parcels be entirely in a single zone rather than two (Commercial-2 and the proposed new zone). We are also proposing adding parcels to the zone, based on requests from the specific parcel owners.

Planning Board Review

The Planning Board discussed the proposed amendments at a number of meetings, and held a public hearing on June 14, 2018. The Planning Board sought increases in density, and expressed divergent opinions on the height allowance (50 feet, or up to 70 feet if parking is constructed under the building). The Planning Board also discussed whether affordable housing incentives could be incorporated into the zone.

The Planning Board voted 4-2 in favor of recommending the zoning amendment to the Town Council.

PROPOSED SOLUTION/RECOMMENDATION

Approve as presented.

ATTACHMENTS

- Proposed Title 16 Amendments
- Proposed Title 16 Enactment
- Planning Board Minutes related to proposed zoning amendment
- Letter from Chief O'Brien regarding building height
- Proposed Zoning Boundary Enactment
- Zoning Boundary Map

REPLACE in 16.2 DEFINITIONS Best Management Practice

Best Management Practice (BMP)

~~Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of water bodies. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.~~

Best Management Practice (BMP) means a structure or practice designed to minimize the flushing by stormwater and the discharge of pollutants to waterbodies by temporarily storing and treating urban runoff. BMPs **must** be used to achieve four stormwater management objectives identified by Maine DEP: effective pollutant removal, cooling, channel protection and flood control.

ADD to 16.2 DEFINITIONS Liner Building and Low Impact Development

Liner building means a building that lines the edge of a street or other public space. Liner buildings are typically used to shield public space, like a street or sidewalk, from something less desirable to view, such as a parking garage. They can also be used to enclose a space such as protecting a courtyard from a busy street. Where allowed, a liner building **must** be a minimum of 8 feet deep and a maximum of 14 feet deep.

Low Impact Development (LID) means the site-based process of developing land while minimizing impacts on water resources and infrastructure. LID replicates the natural hydrology of a site.

AMEND 16.3 Table of Zones

16.3.1.2 Establishment of zones.

To implement the provision of this title, the Town is divided into the following base and overlay zones:

A. Base zones.

~~Business—Park~~Mixed Use – Neighborhood

~~B-PK~~MU-N

DELETE 16.3.2.10 Business – Park - BP and REPLACE with the following:

16.3.2.10 Mixed Use – Neighborhood (MU-N)

A. Purpose: To encourage higher density, mixed-use development that provides increased housing opportunities and a desirable setting for business while balancing such increased development with environmentally-conscious and ecologically-sensitive use of land.

B. Permitted Uses.

1. Accessory buildings and uses including minor or major home occupations;
2. Art studio/gallery;
3. Business and professional offices;
4. Business Services;
5. Conference Center;
6. Convalescent care facility;
7. Convenience Store, neighborhood grocery facilities excluding the sale of gasoline;
8. Day care facility;
9. Dwellings, limited to the following:
 - i. Multiunit residential;
 - ii. Dwelling units on the upper floors of a mixed-use building that is served by public sewer;
10. Eldercare facility, attached dwelling units only
11. Elderly daycare facility;
12. Food Store;
13. Grocery store;
14. Hospital;
15. Hotel;
16. Industry, light (less than or equal to twenty thousand (20,000) square feet in gross floor area);
17. Inn;
18. Liner buildings, as part of a mixed-use building;
19. Low intensity recreation;
20. Nursing care facility, long term;
21. Personal services;
22. Public open space or recreation;
23. Public utility facilities including substations, pumping stations, and treatment facilities;
24. Repair service;
25. Research and development;
26. Restaurant;
27. Retail use, not to exceed thirty thousand (30,000) square feet in gross floor area unless part of a mixed-use building;
28. Selected commercial recreation, except shooting and archery ranges;
29. Shop in pursuit of trades;
30. Specialty food and/or beverage facility.
31. Theater;
32. Veterinary hospital;

C. Special Exception Uses.

1. Commercial kennel;

2. Commercial parking lot or garage
3. Construction services
4. Equipment sales and rentals (only on lots with frontage on Route 236)
5. Gas service station (only on lots with frontage on Route 236);
6. Industry, light (greater than twenty thousand (20,000) square feet in gross floor area);
7. Mass transit station;
8. Mechanical service;
9. New or used motor vehicle sales, (only on lots with frontage on Route 236);
10. Repair garage; (only on lots with frontage on Route 236)
11. Retail use, greater than thirty thousand (30,000) square feet in gross floor area and less than fifty thousand (50,000) square feet in gross floor area;

D. Other Uses.

Additional commercial/business uses may be considered by the Planning Board if:

1. The use is not listed above and;
2. The use is not defined by 16.2.

Such uses will be considered special exceptions uses and must be reviewed by the Board based on the following criteria:

1. If the use is consistent with the Comprehensive Plan and zoning district purposes and
2. If the use meets special exception criteria found in 16.6.4.4.

In addition, the use must meet one or both of the following criteria:

1. If the proposed use has substantially similar impacts as a listed use.
2. If the proposed use is compatible with existing uses within the zoning district for which it is proposed.

E. Standards.

1. All development and the use of land in the MU-N zone must meet the following standards. Kittery's Design Handbook illustrates how these standards can be met. In addition, the design and performance standards of Chapters 16.8 and 16.9 must be met unless noted otherwise below.

All submissions must include a lighting plan. Hours of operation and number of employees for businesses must also be provided.

2. The following space standards apply:

Minimum land area per dwelling unit – mixed-use building:

4,000 square feet for first residential unit plus 3,000 square feet for each additional unit, no

minimum land area for
business or commercial uses
when combined in a
building with residential
uses except that the total lot
size must be at least 20,000
square feet.*

NOTE:

*1) ADA-compliant units may be located on the first floor
through a special exception permit by the Planning Board but only
50% of the first floor may be such ADA- compliant residential units.

Minimum land area per dwelling unit – multiunit residential:

4,000 square feet for
first unit, plus 2,500
square feet for each
additional unit up to 16
units per acre of lot size.
Total lot size must be a
minimum of 20,000
square feet.

Mixed-use or multiunit residential buildings which encompass at
least 50% of required parking within the building

Two additional
residential units may be
added to each story
above the parking with
no additional land area
required

Mixed-use buildings which encompass at least 50% of required
parking within the building and include a liner building for non-
residential uses buffering parking from the street:

One additional
residential unit may be
added to each story with
no additional land area
required.

Minimum land area per bed for long-term nursing care and
convalescent care facilities that are connected to public sewer

2,000 square feet

Minimum land area per residential unit for eldercare facilities **that**
are connected to public sewer

3,000 square feet

112	<u>Minimum lot size</u>	<u>20,000 square feet</u>
113	<u>Minimum street frontage</u>	<u>75 feet</u>
114	<u>Minimum front setback on Route 236</u>	<u>30 feet</u>
115	<u>Minimum front setback on Dennett Road</u>	<u>40 feet</u>
116	<u>Minimum front setback on Martin Road</u>	<u>40 feet</u>
117	<u>Maximum front setback all other roads</u>	<u>20 feet</u>
118	<u>Spacing between buildings</u>	<u>15 feet*</u>
119	<u>Maximum rear and side setbacks</u>	<u>20 feet**</u>

120 **NOTES:**

121 * Or as required by the Fire Department or State Fire Marshal's office.

122 ** Except as may be required by the buffer provisions
 123 of this Code, and where the side and/or rear yards of a
 124 proposed nonresidential use abut a residential zone or
 125 use in which case a minimum of forty (40) feet is required.
 126 See Landscaping, Screening and Buffer requirements.

<u>Maximum building height</u>	<u>50 feet* (exclusive of solar apparatus)</u> <u>*Buildings which encompass all required parking may be 70 feet.</u> <u>Additional public safety impact fees apply</u>
--------------------------------	---

127	<u>Maximum impervious and outdoor stored material coverage</u>	<u>70%*</u>
-----	--	-------------

128 ***NOTE:**

129 1) With Best Management Practices (BMPs) and Low Impact
 130 Development Practices (LIDs) as defined in 16.2 and based on Maine
 131 DEP's Maine Stormwater Best Management Practices Manual,
 132 Volumes I - III, as amended from time to time, incorporated in site
 133 design, otherwise 60%. Maximum on-site stormwater infiltration is the
 134 desired and measurable outcome.

135	<u>Minimum setback from streams, water bodies and wetlands</u>	<u>in accordance with</u>
-----	--	---------------------------

Table 16.9*

***NOTES:**

1) With Best Management Practices (BMPs) and Low Impact Development Practices (LIDs) as defined in 16.2 and based on Maine DEP's Maine Stormwater Best Management Practices Manual, Volumes I - III, as amended from time to time, incorporated in site design, then wetland setbacks pursuant only to Maine Department of Environmental Protection (MDEP) Rules Chapters 305 and 310.

Without Best Management Practices (BMPs) and Low Impact Development Practices (LIDs) as defined in 16.2 and based on Maine DEP's Maine Stormwater Best Management Practices Manual, Volumes I - III, as amended from time to time, incorporated in site design, wetland setbacks pursuant to Kittery Town Code Title 16, Table 16.9.

2) The Town shall retain expert consultation (qualified wetland scientist and/or Maine-certified soil scientist) to determine wetland delineations and classifications and to perform soil testing as needed, all of which shall be paid for by the applicant at the time of sketch plan. The qualified wetlands scientist and/or Maine certified soil scientist shall determine through field investigation the presence, location and configuration of wetlands on the area proposed for use. Any wetland alterations proposed must also be reviewed by the Town's consultant(s) at the applicant's expense. These requirements are in addition to engineering, stormwater management/BMPs, traffic or other types of peer review that may also be required.

Minimum open space:

<u>Lot size less than 100,000 square feet</u>	<u>15 percent*</u>
---	--------------------

<u>Lot size greater than 100,000 square feet</u>	<u>25 percent*</u>
--	--------------------

***NOTE:**

1) This requirement may be met by a payment-in-lieu to the Wetland Mitigation Fund. These fees shall be set by Town Council. Landscaping, screening and buffer requirements must still be met.

3. Parking:

Parking is encouraged within buildings. New or revised surface parking areas, garages, and entrances to parking within buildings must be located to the rear of buildings. If a rear location is not achievable, as determined by the Planning Board, parking, garages and

entrances to parking **must** be located to the side of the building. Screening and/or fencing is required for surface parking areas along a street. See 8. Landscaping, Screening and Buffers. Parking requirements are based on the Institute of Transportation Engineers (ITE) parking generation rates.

Joint use agreements (between businesses and residences) for parking are encouraged. A plan describing how joint use parking needs will be met is required as part of any development that proposes such parking and must be reviewed and approved by the Planning Board.

Parking requirements for non-residential uses may be met partially or in full by parking on the street except that no parking is allowed on Route 236, Dennett Road, **or** Martin Road. Such on-street parking plans must be reviewed by planning staff prior to submission and then reviewed and approved by the Planning Board.

Electric car charging stations are allowed in parking lots but must not interfere with pedestrian movement on sidewalks.

a. Parking for development that includes trails and low intensity recreation:

Development that includes the creation of public trails and low intensity recreational opportunities such as wildlife observation stations or boardwalks may apply the pertinent off-street parking standards below. All other off-street parking standards as found in 16.8.9.4 shall apply.

<u>Multiunit residential buildings and mixed-use buildings that include residential</u>	<u>1 parking space for studio and one bedroom dwelling units</u>
	<u>1.5 parking spaces for two bedroom dwelling units plus 1 guest parking space per every 4 dwelling units.</u>
	<u>2 parking spaces for more than two bedroom dwelling units</u>

4. Loading Docks, Overhead Doors, Service Areas and Outdoor Storage Areas:

Loading docks and overhead doors must be located on the rear or side of the building. Loading docks must be screened from view by adjacent residential uses. This screening **must** consist of the following:

a. A fence, constructed of a material similar to surrounding buildings, of sufficient height as determined by the Planning Board to accomplish the screening. No fence may be less than six feet tall.

All service areas for dumpsters, compressors, generators and similar items as well as any outdoor storage areas must be screened by a fence at least six feet tall, constructed of a

material similar to surrounding buildings, and must surround the service or storage area except for the necessary ingress/egress.

5. Site Design

Site design and building placement must be attentive to the surrounding environment including sun, wind and shade patterns related to proposed and existing buildings. A sun/shade analysis may be required by the Planning Board.

6. Energy and Sustainability

Energy efficiency is allowed and encouraged through the use of solar power, geothermal, and other alternative and sustainable power sources.

7. Building Design Standards

New buildings must meet the general design principles set forth in the Design Handbook except as noted below. In general, buildings should be oriented to the street from which they derive frontage, with the front of the building facing the street. The front façade must contain the following:

- a. A front door for pedestrian access
- b. Windows

Flat roofs, proposed to locate heating, cooling, or other such mechanical or electrical apparatus off the ground, are acceptable provided that such apparatus are screened from view and the screening is designed as an integral part of the building to aid both aesthetics and noise attenuation. Flat roofs proposed for the purpose of solar array installations are also acceptable.

8. Landscaping, Screening and Buffers:

A landscape plan prepared by a registered landscape architect is a submission requirement. However, a landscape plan done by other design professionals may be allowed at the Planning Board's discretion.

Native trees, shrubs and herbaceous plantings are preferred and must be drought and salt tolerant when used along streets. A diversity of tree species (3-5 species per every 12 trees) is required to provide greater resiliency to threats from introduced insect pests and diseases.

Any required plantings approved by the Planning Board that do not survive must be replaced within one year.

a. Landscaping along the street frontage of each building must consist of one of the following:

- i. Street Trees. A minimum of one street tree must be planted for each 20 feet of street frontage. Trees may be planted in groups or spaced along the frontage. However, trees must be planted to ensure survival, using silva cells, bioretention cells or tree

- 235 wells. Trees **are to** be a minimum of 2.5" caliper and 12 feet high at the time of
 236 planting. Existing large healthy trees must be preserved if practical and will count
 237 towards this requirement.
- 238 ii. Pocket Park. The park must be at least 200 square feet. A minimum of three trees and
 239 a bench for sitting are required. Park must be vegetated with ground cover except for
 240 walkways.
- 241 b. Surface parking areas that abut a street **must** provide screening in one of the following
 242 ways:
- 243 i. One tree per 25 feet of street frontage backed by a fence constructed of a material
 244 similar to surrounding buildings which must screen the parking area from the street
 245 except for necessary vehicular and pedestrian access. Trees must be at least
 246 2.5" caliper and 12 feet high at the time of planting
- 247 ii. A combination of trees and shrubs including at least 50% evergreen species, all at
 248 least 6 feet high at time of planting, in a planting bed at least 8 feet wide. Plantings
 249 must be sufficient, as determined by the Planning Board, to screen the parking area
 250 from the street except for necessary vehicular and pedestrian access. Planting beds
 251 may be mulched but no orange or red-dyed mulching material may be used.
- 252 c. A minimum of 10% of any surface parking area consisting of 10 or more parking spaces
 253 must be landscaped with trees and vegetated islands. This requirement is in addition to
 254 the screening requirements in b. above if the parking area abuts a street. Bioretention
 255 cells and rain gardens **may** be utilized to meet the landscaping requirements and perform
 256 stormwater management.
- 257 d. Buffers required between non-residential uses and residential uses must be forty feet wide
 258 and consist of one of the following as determined by the Planning Board:
- 259 a. Existing natural woodland and vegetation
 260 b. Existing natural woodland augmented by the planting of additional trees
 261 consisting of a variety of species at least 2.5" caliper and 12 feet high
 262 c. A fence at least six feet high, constructed of material similar to surrounding
 263 buildings, with plantings of trees and shrubs at least 6 feet tall on either side of the
 264 fence.
- 265 9. Open Space
 266 Open space must be provided as a percentage of the total parcel area including freshwater
 267 wetlands, water bodies, streams and setbacks. Required open space must be shown on the site
 268 plan with a note dedicating it as open space. The open space must be situated to protect
 269 significant natural features and resources, minimize environmental impacts and promote an
 270 aesthetically pleasing site.

- a. Wherever possible, large healthy trees and areas with mature tree cover **must** be included in the open space.
- b. Location of open space **must** promote the continuity of open space networks across adjacent parcels
- c. Where possible, open space and open space networks **must** include public trails and low intensity recreational opportunities.

10. Special Situations

Expansions or modifications of 1,000 square feet or less to existing uses are exempt from landscaping, screening and buffer requirements.

11. Conditions for Approving Special Exception Uses in the Neighborhood Mixed Use Zone

All applications must include a narrative describing why the use proposed will promote the general welfare (specifics may be found in Chapter 2 Definitions for **special exception**) of the Town of Kittery, how the use proposed will meet the special exception criteria found in 16.6.4.4 and how the proposed development will adapt and relate to the natural environmental conditions found on the site.

REMOVE from 16.3.2.17 the Business Park Zone

16.3.2.17 Shoreland Overlay Zone OZ-SL.

~~(10) Business Park Zone (B-PK).~~

~~(a) Permitted uses:~~

~~{1} The following land uses are permitted for projects that are cluster mixed use developments:~~

~~{a} Art studio/gallery;~~

~~{b} Mass transit station;~~

~~{c} Public open space recreational uses, recreational facilities, and selected commercial recreation;~~

~~{d} Research and development; and~~

~~{e} Public utility facilities, including substations, pumping stations, and sewage treatment facilities.~~

~~{2} The following land uses are permitted for projects that are not cluster mixed use developments:~~

~~{a} Accessory uses and buildings.~~

~~(b) Special exception uses. The following uses are permitted in a cluster mixed use development as a special exception:~~

~~{1} Business and professional offices;~~

~~{2} Business services;~~

~~{3} Commercial parking lot or parking garage;~~

~~{4} Conference center;~~

~~{5} Cluster residential development;~~

~~{6} Grocery, food store, convenience store, including gas station;~~

~~[7] Mechanical services, excluding junkyard;~~
~~[8] Motel, hotel, rooming house, inn;~~
~~[9] Personal service;~~
~~[10] Place of public assembly, including theater;~~
~~[11] Repair services;~~
~~[12] Restaurant;~~
~~[13] Retail uses and wholesale businesses, excluding used car lots and junkyards;~~
~~[14] School (including day nursery), university, museum, hospital, municipal or state building or use, church, or any other institution of educational, religious, philanthropic, fraternal, political or social nature;~~
~~[15] Shops in pursuit of trade;~~
~~[16] Veterinary hospital;~~
~~[17] Warehousing and storage; and~~
~~[18] Specialty food and/or beverage facility.~~

REMOVE from 16.3.2.19 the Business Park Zone

16.3.2.19 Resource Protection Overlay Zone OZ-RP

~~(10) Business Park Zone (B-PK):~~
~~(a) Permitted uses — cluster and noncluster development.~~
~~[1] Public open space recreational use.~~
~~(b) Special exception uses — cluster development.~~
~~[1] Public utility facilities, including substations, pumping stations and sewage treatment facilities.~~
~~(c) Special exception uses — noncluster. Special exception uses for projects not designed as a cluster mixed use development include:~~
~~[1] Accessory uses and buildings.~~

ADD NEW SUBSECTION to 16.7.8.4 Exemptions to Net Residential Acreage Calculations

16.7.8.4 Exemptions to Net Residential Acreage Calculations

- A. The maximum number of dwelling units for residential development not subject to subdivision is based on minimum land area per dwelling unit defined in Chapter 2 Definitions of this Title.
- B. The creation of dwelling units subject to subdivision within existing buildings that are connected to town sewer and are located in the Mixed Use -Kittery Foreside; Mixed Use-Badgers Island; Residential Village; Business Local; or Business Local -1 zones are exempt from the net residential acreage calculations in 16.7.8.4. Total number of dwelling units permitted is determined by dividing the gross lot area by the minimum land area per dwelling unit allowed in the zone. The exemption is allowed in the above base zones when subject to the Shoreland Overlay Zone.

C. The Mixed-Use – Neighborhood Zone (MU-N) is exempt from Title 16.7.8.2 Net Residential Acreage Calculation but is subject to the minimum land area per dwelling unit as defined

in Chapter 2 Definitions except that 50% of all wetlands may be subtracted, rather than 100%.

REMOVE from 16.8.11.2 the Business Park zone

16.8.11.2 Permitted zones.

A. Cluster residential development is permitted in various zones as indicated in Chapter 16.3.

~~B. Cluster mixed-use development is permitted only in the Business Park (B-P) Zone.~~

REMOVE from 16.8.11.6 the Business Park Zone

16.8.11.6 Standards.

E. Open space requirements.

(5) Open space must also be for preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life, and wildlife cover as identified in the applicant's written statement. In the ~~Business Park (BP)~~ Mixed Use - Neighborhood Zone, open space may be both man-made and natural. Man-made open space must be for the development of recreational areas, pedestrian ways and aesthetics that serve to interconnect and unify the built and natural environments.

~~F. In the Business Park (BP) Zone, the maximum building height is 40 feet. If the Planning Board finds that provisions for firesafety are adequate to allow buildings of greater height, then the Board may allow a building height of up to 60 feet as a part of the development plan review and approval process.~~

REMOVE from 16.8.11.7 the Business Park Zone

16.8.11.7 Open space dedication and maintenance.

C. If any, or all, of the open space is to be reserved for ownership by the residents and/or by commercial entities, the bylaws of the proposed homeowners' or similar governing association for commercial owners (~~in the Business Park Zone~~) and/or the recorded covenants must specify maintenance responsibilities and be submitted to the Planning Board prior to approval. See Subsection A above.

KITTERY TOWN CODE TITLE 16
REZONING OF BUSINESS PARK TO MIXED USE - NEIGHBORHOOD

AN ORDINANCE relating to the municipality's authority for Town governance to give due and proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A, Municipalities and Counties.

WHEREAS, the Kittery Town Council is authorized to enact this Ordinance, as specified in Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, the Town has identified a certain zone as a target development area for over a decade; and

WHEREAS, following a development study in 2017 it was determined that the current land use regulations for the zone were serving as critical impediments to achieving the development associated with a target development area; and

WHEREAS, the Kittery Town Council seeks to rezone the area to support the type of development appropriate for the location and topographical conditions of the targeted development area;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 16 OF THE TOWN CODE, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____, 20____, by: _____ {NAME} Motion to approve by Councilor _____ {NAME}, as seconded by Councilor _____ {NAME} and passed by a vote of _____.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

Attest: {NAME}, _____ Town Clerk

ITEM 4 – Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone.

Town Manager, Kendra Amaral, gave an overview of the proposal to rezone the former business park. She explained a parcel owner, Bill Cullen, who worked with the Economic Development Committee, proposed the Town add infrastructure. The Town would have needed to utilize \$1.2 million in TIFF to fund for roads, three face power and water. The EDC questioned if that approach was the best investment of TIFF funds. Manager Amaral explained a highest best use type study was conducted through SMPCD and listed the criteria. She added the study results determined the impediment to development in the zone was the wetlands not the infrastructure. Also, zoning was very vague and the developers were not sure what development is allowed. The Town Manager explained they are looking at zoning revisions and worked with KOSAC. The result was given to the Board to provide a zoning based on what we want to see rather than what we want to prevent. It was discovered that two thirds of the area is undevelopable. The upland can handle activity and density. Town Manager Amaral reviewed what she and KOSAC looked at, which included open space to support walkways and paths. She described the methods they used and explained the bonus incentives for developers. They are looking to create a vibrant neighborhood. She added the DEP and Army Corps. of Engineers does not deem this area high on their list of wetlands of interest. Notices were sent out to abutters of the current zone and the Town wants to engage them in conversation. She added they are seeing to move boundaries to Route 236. She thanked all those who participated in the KOSAK process. Chair Grinnell thanked the Town Manager for her excellent overview.

Ms. Connor explained the map in the Board packet is from the highest and best use study and doesn't follow the current zoning boundaries of the park. Town Manager Amaral explained Ms. Connor, a zoning expert, has reviewed this. She added the Town will be looking to recodify Title 16 and the new planning director will be on board on April 17th.

Vice Chair Kalmar reviewed her following comments for changes:

- Why aren't warehousing and wholesale businesses limited for special exceptions?
- Line 86- requested Ms. Connor to reword this to be less ambiguous regarding parking;
- Line 93 – add a definition of liner building;

- Line 110 – verify the Fire Chief has no concerns of no minimum space between buildings;
- Specify the Town's peer review engineer will determine if LIDS and BMPS are adequate as opposed to the developer;
- Line 157- ask at what rate the open space payment in lieu will be;
- Line 246 – add language ensuring a diversity of species of trees and shrubs of more than two species;
- Line 284 – what is intention to take out criteria condition of approval for special exception uses in Title 16.6.4.4.

Mr. Dunkelberger asked to have a type of catchall under special use to cover future uses. Town Manager Amaral would like to see a more manageable description of uses that makes more sense than what the Town has now. Discussion ensued of the appropriate language to include to point out special use will be at the Planning Board's discretion.

Mr. Ledgett asked how the square footage limitations were determined. Ms. Connor explained what she looked at target density of 15 residential units per acre and she also looked at the density requirement for communities that resembled is envisioned for the park. Mr. Ledgett requested this be looked at to see if there is a better way to specify density other than incrementally per square foot.

Mr. Fitch commented he liked the village concept and questioned the mixed-use building requirement to have commercial on the first floor and residential on the upper floors. Ms. Connor replied a mixed use with residential is spelled out because there are different standards, such as more density, and do not have to meet any additional land use requirements. Town Manager Amaral added residential will be allowed as well. Discussion of micro apartments ensued.

Mr. Alesse suggested controlled environment agriculture which allows people to farm vertically. Mr. Alesse described what he learned about this and thinks it should be encouraged. It is environmentally clean and has a high production rate.

The Town Manager explained she has been in conversations with the Water District who are showing an interest in the area as well. Mr. White pointed out to put more into paragraphs 5, 6 and 7 to work towards an energy efficiency bonus. Town Manager Amaral informed him they are not including solar panels as part of the building height. She added the land is 90 acres and estimated a third is developable.

Chair Grinnell asked of the amount of money in the TIFF. The Town Manager informed her that the Town has recently discovered they have been inaccurately funding the TIFFs for the three districts and it is being addressed. She also explained the TIFF process.

Chair Grinnell expressed her concern the 50 ft. height allowance will influence other zones. Town Manager Amaral commented it could be beneficial in other areas.

Ms. Connor will make the adjustments based on the comments and the Board will look at this again at the April 26th meeting. It was noted the Town Council may want to have a workshop with the Planning Board.

ITEM 5 – Affordable Housing/Workforce Housing Discussion. Review and discuss Maine Housing (Maine State Housing Authority) information and next steps following the February 22nd Affordable & Workforce Housing Forum.

Chair Grinnell informed the Board after she attended the affordable and workforce housing meeting, she is keeping this topic as a priority. She explained she has met with Vice Chair Kalmar, Ms. Connor and Mr. Brock. from Town Council, and they decided to set up an ADHOC committee that will be looking into this issue. She added the committee will have eight board members from different Boards, a resident and the new planner. Chair Grinnell requested Planning Board members contact Ms. Connor if they are interested in participating and a tentative meeting is planned for next week. Chair Grinnell explained she also met with Marissa Day who will be sending her information from the Route One project. Representatives from Fair Tide will be included as well. Chair Grinnell wanted residents to know they are working on affordable and workforce housing and the information from the Maine State Housing Authority will be added to the website

ITEM 6 – Board Member Items / Discussion A. Planning Board Action Item List B. Other

Board members reviewed their action list and updated it as follows:

#1 – omit; #2 – omit; #3 – keep but lower priority; #4 – keep; #5 – keep; #6 – keep and remove former planner's name; #7 – keep; #8 – omit; #9 – omit; #10 – keep; #11 – omit; #12 – give to Jessa Kellogg; #13 – Town Planner will work on this; #14 – omit; #15 – omit; #16 – keep; #17 – keep; #18 keep and move up priority.

Ms. Connor will update the list. She will add the Foreside report, air B&Bs; and business park mixed use as items.

OLD BUSINESS

ITEM 1– Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion, Set public hearing. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Set public hearing date.

The Board reviewed the proposal that included the changes discussed from a previous meeting. Ms. Connor addressed Mr. Ledgett's comment to look at other than typical square footage for density calculations. After discussions, the Planning Department has decided not to deviate from the way most of the other zones calculate density and they will look at his suggestion in the future. She suggested a time to discuss this would be during the recodification of Title 16.

Ms. Connor informed the Board the energy and sustainability remains the same but the Comprehensive Plan mentions it and Kittery needs to explore this. When the energy committees make their recommendations, they can add those guidelines into this document.

Ms. Connor also informed the Board they have had discussions with CMA, who have had a contract with the Town since 2005 and have agreed to review the best management practices for stormwater for the business park. They also agreed to outsource if they feel they lack the expertise on a matter. She added CMA is recommending the drainage structures be allowed to be in the wetland setbacks in this zone.

Mr. Ledgett suggested creating an incentive for developers to build inclusionary housing. He added the incentive could be density. He also suggested seeking comments from developers if this proposal will work for users. He recommended the Inclusionary Housing Working Committee review this document. Ms. Connor commented one of the barriers to having inclusionary housing in this district is the high cost to add the infrastructure and the environmental constraints of the area. Staff will bring this document to the Inclusionary Housing Working Committee for review.

Mr. Dunkelberger commented of adding language to allow consideration of uses not contemplated before. He feels the list "Other Uses" in the document is limiting and does not like the term similar noted on lines 57 and 58 on Page 2D. He referred to language on Page 7 of Conditions for Approving Special Exception Uses. He suggested

removing the word “similar” to allow the Planning Board to decide if project is beneficial for Kittery using the criteria outlined in the document.

After discussion, the Board was in consensus to have the planning staff make the suggested changes and bring them back to the Board and asked the Inclusionary Housing Committee to review the document.

Vice Chair Kalmar suggested the following changes:

- Add liner building to the list of definitions;
- Lines 97 and 102 - specify all the parking required must be encompassed in the building;
- She asked for an explanation for change in density. Ms. Connor explained it was suggested in the original study to have 15 units per acre and after receiving several comments from other committees who want to see more density it was changed. It is now 14 units per acre for mixed-use and 16 units for multi-unit residential;
- Spacing between buildings should be cleared by the Fire Chief before the public hearing.
- Add more tree species of deciduous and evergreens diversity. Earle Dean Wells explained the number of species depends on the number of trees in the area.

The Board questioned the maximum height of a building the Fire Department's trucks can manage. Mr. Causey reported he has spoken with the Fire Chief and 50 ft. is the height limit now. Ms. Connor will remove the 60 ft. height limit from the document.

The Board determined a public hearing will not be schedule until they review the next draft with the changes highlighted.

NEW BUSINESS

ITEM 2 – MS4 (Municipal Separate Storm Sewer Systems) Presentation and Q&A.
Jessa Kellogg, MS4 Coordinator and Shoreland Resource Officer will present.

Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator presented the annual MS4 General Permit for Stormwater Discharges. She explained a stormwater permit is administered by Maine DEP and the Town is required to ensure there is no discharge of polluted stormwater going into the waters of the State. She read over the required six minimum control measures. She explained the areas the Planning Board

Mr. Dunkelberger suggested the applicant to draw the property line straight. Mr. Yassa agreed if he can maintain the tree line between the two homes.

Discussion of the division of the two lots will be reviewed by the Board to ensure each lot has adequate frontage and the ROW is designed to ensure the two lots are legally conforming. Mr. Mende explained the waiver for the roadway width is because of the low traffic condition and not creating more road than they need.

The Board asked the applicant to give attention to the staff comments and is subject to the Fire Chief's review.

Mr. Dunkelberger moved to accept the sketch plan application dated April 13, 2018 as complete and approve the sketch plan for Sami Yassa requesting consideration of a right-of-way for a 3.04 +/- acre parcel located on Bond Road (Tax Map 25 Lot 12) in the Residential Kittery Point Village zone (R-KPV) and the Shoreland Overlay zone (OZ-SL-250).

Mr. Ledgett seconded the motion

The motion carried 6-0-0.

OLD BUSINESS

ITEM 4 - Neighborhood Mixed Use (formerly Business Park) Zoning District

Discussion, Set public hearing. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Set public hearing date.

Town Manager Amaral reviewed some items from the last meeting. She has followed up with Mr. Fitch and Mr. Ledgett regarding the proposal to add affordable or inclusionary housing to the proposed neighborhood. She explained she does not feel this should be incorporated at this time. The Inclusionary Working Group is still in the process of deciding how to handle inclusionary housing. She asked the Board to move forward with the understanding that once the working group has a plan for inclusionary housing, this item can be reopened and added.

Mr. Dunkelberger suggested the following changes:

- Page 2, Lines 64-67 - change No. 1 to "If the use is consistent with the Comprehensive Plan and Zoning District purposes and/or one or more of the following:

- Change No. 3 to “If the proposed use is compatible with the listed uses of that zone”.

Ms. Connor reported she has already made similar changes to those items.

Vice Chair Kalmar had the following changes:

- Under D “Other Uses”, Line 67 - move No. 4 – to No. 1.
- Line 192 – change the word “is” to “are”.
- On Page 4, Lines 144, 153 and 160 - insert language “as amended from time to time” for Volume I – III.

Ms. Connor read over her changes since the last review and reported the Town’s Fire Chief will give his opinion on the building separation and building height.

Mr. Dunkelberger moved to schedule a public hearing for comment on the proposed amendment to 16.3.2.10 for June 14, 2018.

Mr. Ledgegett seconded the motion.

The motion carried 6-0-0.

Item 5 – Board Member Items/Discussion

Mr. Ledgegett informed the Board he conducted a review of the housing impact on the Town for accessory dwelling units and short-term rentals as a follow up from previous Board discussion. He described the results of his review and believes this is an item the Board should be examining soon and requested comments for the next meeting.

Vice Chair Kalmar requested staff to inform them of their priorities and projects to help the Board set their priorities. She added the Board’s action list has several Number 1 priorities. After discussion, the Board agreed to have one item as priority Number 1.

Ms. Wells informed the Board the State has a new program for mitigation of vernal pools and wetland areas called SAMP. This will impact the business park property and she passed out information of the program to the Board.

Item 6 - Town Planner Items

None.

Item 7 - Adjournment

CALL TO ORDER

ROLL CALL

Present: Karen Kalmar, Dutch Dunkelberger, Mark Alesse, Drew Fitch, Russell White, Ronald Ledgett

Late arrival: Ann Grinnell

Staff: Kathy Connor, Interim Planner; Adam Causey, Director of Planning and Development; Jessa Kellogg, Shoreland Resource Officer/Stormwater Coordinator

Advisory: Earldean Wells, Conservation Commission

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES – May 24, 2018

Line 173 – remove repeated line.

Mr. Dunkelberger moved to accept the Minutes of May 24, 2018 as amended.

Mr. Ledgett seconded the motion.

The motion carried 6-0-0.

PUBLIC COMMENT

Vice Chair Kalmar opened the public comment segment of the meeting. There being no comments, Vice Chair Kalmar closed the public comment.

PUBLIC HEARING

ITEM 1 – Neighborhood Mixed Use (formerly Business Park) Zoning District Public Hearing, Vote to Recommend. Take public comment. Review and discuss proposed changes to the former Business Park Zone, now called the Neighborhood Mixed Use Zone. Vote whether to recommend to Town Council.

Vice chair opened

Vice Chair Kalmar opened the public hearing.

Rich Balano, 3 Oxpoint Drive, explained he is against the proposal and questioned how liner buildings will be used. He also shared his concern of the building height allowance of 70 feet because he feels it will change the character of the Town. He referred to the current and

proposed Comprehensive Plans and read the preamble that refers to Kittery as a small town. He urged the Board to amend the height requirement to 40 ft.

Bill McCarthy, 27 Adams Drive, reiterated Mr. Balano's concerns and commented the Town should be careful of raising heights of buildings. He added he believes the 40 ft. height limit serves the Town well.

There being no further comments, Vice Chair Kalmar closed the public hearing.

Mr. Alesse expressed his concern of the definition of permitted uses under B and of the inclusion of public utility facilities, which includes sewage, being compatible with housing. He added the height maximum is too high and believes it does not make sense because the Town would need to purchase new fire equipment.

Mr. Ledgett had the following concerns and comments:

- Line 65 - Other Uses - Title 16.6.6 is a Board of Appeals' requirement and he questioned why it is included.
- He would prefer the building height being above 40 ft. if it would benefit reasonably priced residences and he is concerned it could set a precedence in other areas in Town.
- Line 149, Page 4 – suggested the word “only” be taken out. Ms. Connor agreed.
- Lines 211 – 213 – “Public Parking Access for Trails” Ms. Connor explained there will be on street parking when the streets are developed and added they discussed the reduction in parking with code staff as well.
- Line 272 – Ms. Connor defined pocket park.
- Line 347 – Mr. Ledgett questioned this paragraph and Ms. Connor explained she provided “A-B” for context, with “C” being the amendment.

Mr. Fitch explained the Inclusionary Housing Working Group was in consensus at their last meeting to wait until they are ready to add inclusionary housing incentives for this proposal.

Mr. Dunkelberger pointed out the proposal is a test and he agrees with the height limit as written because it allows flexibility and will be conducive with the area.

Vice Chair Kalmar commented that the height will add density which is difficult for that area. She also reminded the Board and the public if the proposal is sent to the Town Council, there will be another public hearing.

Mr. White explained he is concerned with the height but would agree with the limit if it is contained in this zone only. He added the areas of developable land is low for this area, so the standards need to be different from other areas of Town. He would like to see incentives for inclusionary housing in the future and understands this will not happen right away. He pointed out the Town Council is responsible of deciding if the Town needs another fire truck to service the height.

Vice Chair Kalmar encouraged Board members and the public to express their concerns to the Town Council.

Ms. Connor addressed Mr. Alesse's comments regarding the public utility facilities and explained there is discussion that the water district may consider that location. She also pointed out Title 16.8.11.6 has language that allows the height of 60 ft. for cluster developments and mixed-use cluster developments if the fire department is satisfied with their ability to service the building.

**Mr. Dunkelberger moved to recommend the modified plan to the former Business Park Zone, now called the Neighborhood Mixed Use Zone to the Town Council.
Mr. White seconded the motion.**

The motion carried 4-2-0. (Mr. Ledgett and Mr. Alesse opposed).

OLD BUSINESS

ITEM 2 – Miller Road – Major Subdivision Preliminary Plan Review Action: Accept or deny application, Set public hearing date. Owners Paul E. and Peter J. McCloud and Applicant Joseph Falzone request consideration of a 6-lot conventional subdivision on land along Miller Road (Tax Map 59 Lot 20) in the Residential-Rural (R-RL) and Resource Protection Overlay (OZ-RP) Zones. Agent is Ken Wood, Attar Engineering.

Vice Chair Kalmar recused herself from this item.

Mr. Wood provided an overview of the project. He added the preliminary plan is submitted and meets the requirements. He informed the Board the plan will have slight changes because discussions took place between the applicant, a representative from his office and an abutter, Jeff Clifford. Mr. Wood explained the change is regarding water discharge and he described how this will be accomplished and how it will preserve more trees on Miller Road.

The following staff comments were addressed:

- Note 1 – The applicant agreed to add the 40 ft. front yard setback number to the plans and will add a note describing the site as wooded. Mr. Wood explained the Board packets include an amended FEMA Flood Zone Map and they have received the Letter of Map Amendment (LOMA), which is also copied and submitted with the preliminary plan. The applicant does not own the property and has a purchase and sale agreement to do so when the plans are approved. The plan will also show the 50 ft. buffer along Miller Road.
- The erosion and sediment control plan will be the same but with less disturbance because of the added swales along Miller Road.
- Note 3 –Pedestrians can walk down the street to get to the open space.
- Note 5 - Stormwater easement calculations for Lot 1 will be on the final plan and will meet the requirement.



Town of Kittery, Maine

Fire Department

3 Gorges Road
Kittery, Maine 03904
Tel (207) 439-2262

Chief David O'Brien
firechief@kitteryme.org

MEMORANDUM

10 May 2018

To: Adam Causey; Town of Kittery Planner

Subj: Height Limitations

Adam:

Thank you for the opportunity to meet with you and the Town Manager to discuss the potential for allowing an increase in building height in certain areas of town. Currently the Fire Department has a 75' aerial ladder that allows us to service buildings up to 50' in height. This height restriction is a product of being capable of placing men and equipment on a roof up to this height and also meet criteria defined by the Insurance Service Office (ISO) that penalizes communities for having buildings higher than what is deemed serviceable by available aerial apparatus. Kittery's 75' aerial ladder currently meets the ISO requirements and full value was awarded Kittery during the recent ISO review.

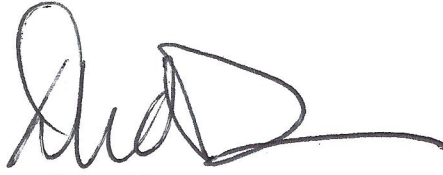
The Fire Department has diligently worked to lower our rating over the last few years and are proud of our Class 4 rating, a drop from a Class 6 only 17 years ago. An increase in building height will affect our ability to service the taller buildings and could affect our ISO rating. However, the Fire Department believes that by increasing unit density by allowing taller structures in certain areas may be good for the town.

With this in mind the Fire Department makes the following proposal in support of increasing height limitations in certain areas of our community. We recommend the height limitation be raised from 50' to 70'. We support this with the caveat that as buildings are built, public safety impact fees and other funding mechanisms are put in place to allow for the trade of our current ladder and upgrade to a short wheel base, single axle, 107' aerial ladder. This type of aerial ladder is of sufficient length to allow service to a 70' high structure and also capable of meeting the demands of tight and narrow roadways that we have in some areas of Kittery.

We propose a transition period for this process. If agreed upon, this change should be allowed to go forward prior to the Fire Department upgrading to a longer aerial ladder. The transition to the longer ladder may be phased as buildings are built and impact fees and other funding streams are collected. We envision the possibility of after the second completed building we start the process of replacement. During this time we will work to strengthen our mutual aid agreements with the Shipyard and Portsmouth Fire Departments on use of their 105' ladder and 100' tower respectively. This would include an automatic mutual aid agreement for these specific buildings where either the Shipyard or Portsmouth would respond automatically upon receiving an alarm. Please understand this is only a temporary fix to the situation and cannot be looked at as a long term solution.

Subj: Height Limitations (cont.)

We look forward to continued discussion on this subject with you and the Planning Board. Please do not hesitate to forward questions or concerns to me as I believe there is much more to learn, discuss and understand in regards to increased density and building height.

A handwritten signature in black ink, appearing to read 'D. W. O'Brien', with a long horizontal flourish extending to the right.

D. W. O'Brien
Chief Fire Officer III

cc: Town Manager



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: August 27, 2018
From: Kendra Amaral, Town Manager
Subject: Title 8 Health and Safety – Resource Recovery Facility
Councilor Sponsor: Chairperson Kenneth Lemont

EXECUTIVE SUMMARY

This proposal is being presented in accordance with the ongoing Town Council and Manager goals of improving efficiency and service delivery.

The Town Clerk's Office, in collaboration with the Department of Public Works, is working to improve the Resource Recovery Facility (KRRF) permits program. Title 8 Health and Safety requires residents and non-residents to be issued decals for use of the Resource Recovery Facility. The proposed amendments to the ordinance, clarify the requirements to obtain a decal, codify the move to the annual renewal (implemented in 2016), and eliminate process language that is better suited for administrative manuals and protocols.

CURRENT SITUATION

To obtain a Resource Recovery Facility decal, a resident or property owner must provide documentation such as a vehicle registration, tax bill to demonstrate eligibility to use the facility. The ordinance stipulates that decals are good for two years.

For residents, the December renewal process required them to come to Town Hall twice, once for their vehicle registration renewal and another for their decal.

For Administrative Clerks, the process detailed in the ordinance, in part implementation, required more process than necessary given the town's software options, and required the town collect and retain unnecessary amounts of paperwork for the purpose of record keeping.

PROPOSED SOLUTION

The proposal seeks to codify the manner in which eligibility for access to the KRRF will be assessed. Every effort has been made to consider the various scenarios regularly encountered, while providing some discretion for unanticipated situations. The proposed language is consistent with the town's current operating procedures.

The town changed to an annual renewal process to coincide with vehicle registration two years ago. This provided more of a one-stop service and allowed the Town Clerk's office to better

manage peak times at the service counter. The proposed changes will codify the change implemented two years ago.

Additionally, the ordinance currently enumerates very detailed administrative processes that require too many steps for a simple function and the production of a great deal of paperwork.

The ordinance currently requires the decal holder sign a piece of paper to be kept on file indicating they have received a copy of the KRRF rules, which must then be filed, in binders and kept on hand for a number of years. This is the only process we require customers to sign a form indicating they will abide by rules, despite having multiple rules and ordinances governing behavior and activity in other areas of town service. Further, we are now able to use technology to track the issuance of decals, and retain a database for reference when questions of validity arise, thereby reducing the paper needed for this program.

We are currently discussing the possibility of offering online renewal of decals, and working through the pros and cons of that added convenience.

Finally, we intend to redesign the decal. We will be eliminating the non-resident decal, as it does not correspond to any actual limitation or restriction on access to the KRRF, resident only parking, or other services that use the sticker as an indicator of eligibility. We are also redesigning the decal to make it easier for the staff at the KRRF to quickly determine if it is expired.

It is our intention that with these changes we will improve service to the customer, streamline the processing for staff, and simplify the ordinance for enforcement.

PROPOSED SOLUTION/RECOMMENDATION

To approve the amendments as proposed.

Article IV Deposit Permit

§ 8.1.4.1 Kittery permit decal.

- A. Required. No person(s) may deposit any waste at the solid waste facility without first obtaining a permit, as evidenced by a current decal properly affixed to a motor vehicle.
- B. Application. An application for a decal to the Town Clerk requires proof of residency or property ownership such as a motor vehicle registration, property tax bill, or other documentation acceptable to the Town Clerk. ~~the name and Kittery address of the applicant, proof of residency or property ownership, the registration number of the vehicle upon which it will be used, and the signature of the applicant certifying that person has received a copy of and will abide by the specific rules and regulations for the resource recovery of rubbish, recycling of trash, and reduction of wet wastes.~~
- C. Information to appear on decal. Each decal is to bear ~~the words "Kittery Solid Waste Facility" and the~~ date-month and year of expiration and motor vehicle registration number of the permit holder.
- D. Location of decals. Decals are to be affixed no higher than four inches from the bottom line of the driver's side of the windshield ~~or door window.~~
- E. Decal issuance and renewals. Kittery decals are issued on an ~~biannual~~-annual basis with an expiration date one year from the month of issuance. ~~to coincide with even-numbered years and may be renewed in November or December of the odd-numbered year prior to expiration, with a one-month grace period allowed in January of the even-numbered year of renewal.~~
- ~~F. Records. The original of the decal application, decal serial number, and signature of the applicant and the issuing Town employee are to be kept on record for two years.~~
- ~~GF.~~ Replacement. A new decal must be obtained whenever the one in use becomes defaced, lost or whenever the user's motor vehicle registration number is changed. A fee as set out in Appendix A will be charged for a ~~duplicate~~-replacement decal for the same motor vehicle registration, except there will be no charge when the applicant submits sufficient remnants of the old decal or proof that the loss was not due to the applicant's negligence.
- ~~HG.~~ Fraud. Any decal found to have been obtained by fraudulent means will be revoked, the motor vehicle registration plate number posted at the solid waste facility, and the person penalized as provided by Article **VI** of this chapter.
- ~~IH.~~ Misuse of permit decal. Any person found to be delivering to the solid waste facility any waste that originates outside the Town or violating any other provisions of this chapter is subject to the penalties of Article **VI** of this chapter.

§ 8.1.4.2 Temporary passes.

- A. A temporary pass may be issued on an as needed basis for business or non-property owner use at the discretion of the Town Manager. ~~Required. No person without a valid permit decal engaged or employed to provide disposal service for a resident, business or nonresident property owner's waste originated within the Town, except as a "good neighbor," may deposit any waste at the solid waste facility without first obtaining a temporary pass.~~
- B. Application. An application for a temporary pass must show the name and address of the resident, business or nonresident property owner for whom the work is being done; the name, address and telephone number of the hauler; the vehicle registration number; the type of material to be carried; the date(s) when the material is to be moved; satisfactory verification by the Kittery person(s) that the hauler is in fact authorized to perform the work contemplated; and the signatures of applicant and

42 Town employee issuing said pass.

43 C. Information to appear on temporary pass. Temporary passes are to be a duplicate of the approved
44 application, bearing a serial number and wording to indicate that mandatory recycling and separation
45 is required.

46 D. Temporary pass usage. A temporary pass must be presented to the attendant at the solid waste
47 facility prior to and each time that disposal has been approved. On completion of the work, the pass
48 is to be given to the attendant. The expiration date of a temporary pass may not be later than 14 days
49 from the date of issue, except that a person(s) engaged or employed by a resident, business or
50 nonresident property owner may be given a pass for the longer period of time at the discretion of and
51 with the approval of the Town Manager.

52 ~~E. Records. The original application for passes is to be kept on file for one year.~~

53 ~~F. Fraud. Any person(s) found to be delivering to the solid waste facility any waste that originates~~
54 ~~outside the Town or in violation of any other provisions of this chapter is subject to the penalties of~~
55 ~~Article VI of this chapter.~~

**KITTERY TOWN CODE TITLE 8
RESOURCE RECOVER FACILITY PERMIT**

AN ORDINANCE relating to the municipality's authority for Town governance to give due and proper attention to its many demands pursuant to the Town Charter, Federal law, and Maine Revised Statutes, and more particularly where set forth in Maine Revised Statutes Title 30-A, Municipalities and Counties.

WHEREAS, the Kittery Town Council is authorized to enact this Ordinance, as specified in Sections 1.01 and 2.07(3) of the Town Charter; 30-A MRS §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, welfare, morals, and safety, and does not intend for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, the Kittery Town Council seeks to ensure municipal operations are as efficient and effective as possible; and

WHEREAS, codifying in Title 8, the criteria for determining eligibility for permits to use the Kittery Resource Recovery Facility will ensure fair, consistent, and predictable processing for customers; and

WHEREAS, amending the processing procedures for issuing permits to use the Kittery Resource Recovery Facility will provide for a more streamlined experience for customers;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A MRS §3001 AND TOWN CHARTER §2.07(3), THE TOWN OF KITTERY HEREBY ORDAINS AMENDMENT TO TITLE 8 OF THE TOWN CODE, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____, 20____, by: _____ {NAME} Motion to approve by Councilor _____ {NAME}, as seconded by Councilor _____ {NAME} and passed by a vote of _____.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 20____, {NAME}, _____, Chairperson

Attest: {NAME}, _____ Town Clerk

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 9-28-18

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|---|---|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input checked="" type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>DELTA AMUSEMENT INC.</u>		Business Name (D/B/A) <u>NAVY YARD BAR + BILLIARD</u>	
APPLICANT(S) - (Sole Proprietor) DOB:		Physical Location: <u>182 STATE Rd.</u>	
DOB:		City/Town	State
		<u>Kittery</u>	<u>ME</u>
Address <u>182 STATE Rd.</u>		Zip Code	<u>03904</u>
City/Town	State	Zip Code	
<u>Kittery</u>	<u>ME</u>	<u>03904</u>	
Telephone Number	Fax Number	Business Telephone Number	Fax Number
<u>207-439-7137</u>		<u>207-439-7137</u>	<u>1508 331-1259</u>
Federal I.D. #	Seller Certificate #: or Sales Tax #: <u>1043464</u>		
<u>01-0524107</u>			
Email Address: Please Print	Website:		
<u>Trophy, 421@yahoo.com</u>			

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ 0 FOOD \$ 42,121 LIQUOR \$ 191,880

3. Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐

If Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

 License # Name of Business (Use an additional sheet(s) if necessary.)

Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☒ NO ☐

6. If manager is to be employed, give name: _____

7. Business records are located at: 182 STATE Rd. Kittery ME 03904

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☐ NO ☒

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Joseph E SUGDEN	1-30-54	MAYNARD MASS
Anthony Borrelli	12-8-54	LAWRENCE MASS
Alexandra Tukey	2-11-92	K. Hony ME
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Joseph E SUGDEN, 3 Tobey ST	HAMPTON N.H. 03842	
ANTHONY BORRELLI, 1 ALDERBROOK LN.	METHUEN MASS 0184	
ALEXANDRA TUKEY, 20 Radgewood Dr.	Kittery ME	

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: Joseph E SUGDEN Date of Conviction: 1975

Offense: Disturbing The Peace Location: SALISBURY MASS

Disposition: PAID FINE (use additional sheet(s) if necessary) SEE ATTACH

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: M.H. PARSONS
+ SONS 50 Wood Bridge Ave. YORK ME 03909

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) Billiards
Tavern + Grille

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1 mi
Which of the above is nearest? SCHOOL

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: BUSINESS LOAN FROM ENTERPRISE BANK
PAID - OFF



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: DELTA AMUSEMENT INC.
2. Doing Business As, if any: NAVY BAR + BILLIARD
3. Date of filing with Secretary of State: 3-1-99 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Joseph E SUGDEN	3 TOBEY ST HAMPTON NH	1-30-54	President	50
ANTHONY BONELLI	1 Alder Brook Ln. METHUEN MASS	12-8-54	Vice President	50

(Stock ownership in non-publicly traded companies must add up to 100%.)


6. If Co-Op # of members: 2 (list primary officers in the above boxes)

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: _____ on _____, 20____
Town/City, State Date

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)
Joseph E. Sugden
Print Name


Signature of Applicant or Corporate Officer(s)
Anthony Barroli
Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications).....\$ **10.00**

Class I Spirituous, Vinous and Malt\$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only)\$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only\$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only\$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only\$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts)\$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge\$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge\$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. **All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.**

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY
<input type="checkbox"/> Approved
<input type="checkbox"/> Not Approved
BY:

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.



7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: Joseph Sugden

Date of Conviction: 1975

Offense: Disturbing The Peace

Location of Conviction: Salisbury MASS

Disposition: Paid Fine

Signature:

See ATTACHMENT

Joseph E Sugden 8-9-18
Signature of Duly Authorized Person Date

Joseph E Sugden
Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

8/27
BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☐ Yes ☒ No

PRESENT LICENSE EXPIRES 11/27/18

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☒ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input type="checkbox"/> RESTAURANT/LOUNGE (Class XI) | <input type="checkbox"/> CLASS A LOUNGE (Class X) |
| <input type="checkbox"/> HOTEL (Class I,II,III,IV) | <input type="checkbox"/> HOTEL, FOOD OPTIONAL (Class I-A) | <input type="checkbox"/> BED & BREAKFAST (Class V) |
| <input type="checkbox"/> CLUB w/o Catering (Class V) | <input type="checkbox"/> CLUB with CATERING (Class I) | <input type="checkbox"/> GOLF COURSE (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> QUALIFIED CATERING | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: The Black Birch Inc.		Business Name (D/B/A) The Black Birch	
APPLICANT(S) –(Sole Proprietor) DOB:		Physical Location: 2 Government Street	
DOB:		City/Town Kittery	State ME
		Zip Code 03904	
Address 2 Government Street		Mailing Address 2 Government Street	
City/Town Kittery	State ME	City/Town Kittery	State ME
Zip Code 03904		Zip Code 03904	
Telephone Number 207-703-2294	Fax Number NA	Business Telephone Number 207-703-2294	Fax Number NA
Federal I.D. # 46-1023520		Seller Certificate #: or Sales Tax #: 1159546	
Email Address: Please Print gavinbeaudry@theblackbirch.com		Website: www.theblackbirch.com	

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ 700,000 LIQUOR \$ 476,000
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # Name of Business (Use an additional sheet(s) if necessary.)

Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

Manager is to be employed, give name: NA

Business records are located at: 2 Government Street, Kittery, ME 03904

8. Is/are applicant(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
Gavin Beaudry	03/26/81	Nashua, NH
Benjamin Lord	09/13/77	Calais, ME
Jake Smith	11/20/75	Pawtucket, RI
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Gavin Beaudry - Kittery, ME		
Benjamin Lord - Dover, NH		
Jake Smith - York, ME		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: See Attached Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☒ NO ☐

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: Studio Verte LLC, 172 Pepperrell Rd, Kittery Point, ME 03905

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) See attached

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. What is the distance from the premises to the **NEAREST** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 250 yards

Which of the above is nearest? Church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☐ NO ☒

If YES, give details: _____

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Kittery, ME 03904 on August 8th, 20 18
Town/City, State Date


Signature of Applicant or Corporate Officer(s)
GAVIN BEAUDRY
Print Name

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications)..... \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the **Treasurer, State of Maine.**

This application must be completed and signed by the Town or City and mailed to:

Bureau of Alcoholic Beverages and Lottery Operations

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, ME 04333-0008.

Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).] [2003, c. 213, §1 (AMD).]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]
[2009, c. 81, §§1-3 (AMD).]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD).]
[1995, c. 140, §6 (AMD).]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP).]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF).]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

*Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov*

DIVISION USE ONLY	
<input type="checkbox"/>	Approved
<input type="checkbox"/>	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.

See attached



Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: The Black Birch Inc.
2. Doing Business As, if any: The Black Birch
3. Date of filing with Secretary of State: 07/23/12 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Gavin Beaudry	Kittery, ME	03/26/81	President	45
Benjamin Lord	Dover, NH	09/13/77	Treasurer	45
Jake Smith	York, ME	11/20/75	VP	10

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: **see attached**

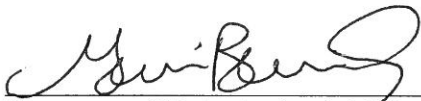
Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:



Signature of Duly Authorized Person

8/8/18

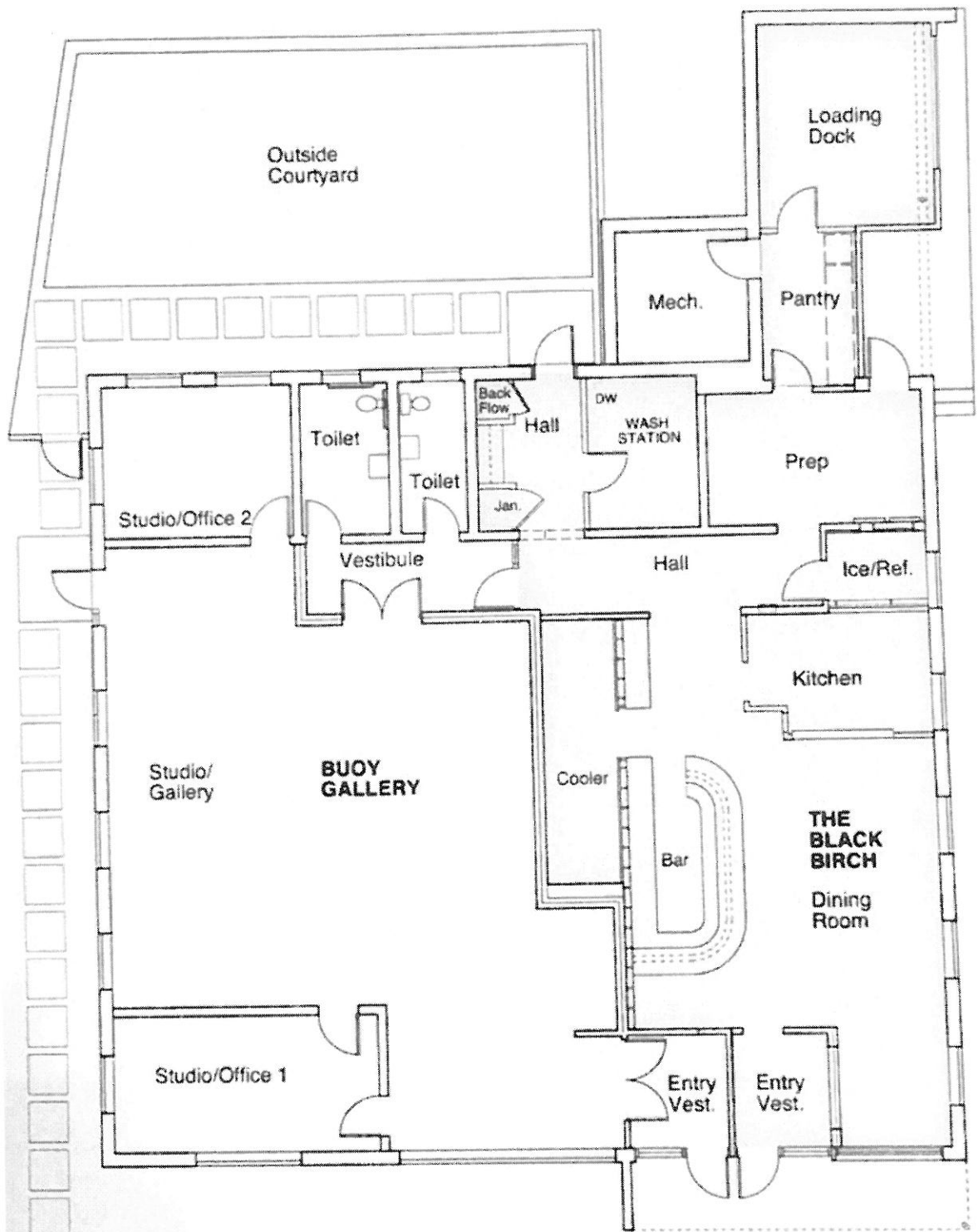
Date

GAVIN BEAUDRY

Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov



FLOOR PLAN
 2 Government Street



RESPONSIBLE INDIVIDUAL: Councilor Charles Denault

Date 08/13/2018

Subject: Developing a policy or Ordinance for Name Recognition

Background:

The Town of Kittery from time to time, has individuals and entities who have made significant contributions to the Town or its citizens through distinguished service and/or the contribution of financial or other resources. There is no policy or ordinance in place that has criteria or allows the naming of Town buildings, facilities, and other property in their honor. There have been situations such as dedications of scholarships, plantings, furnishings, equipment, that have been completed by Town departments without a clear policy or criteria that can be applied uniformly throughout the Town of Kittery. Dedication of buildings, rooms, roadways, scholarships, plantings, furnishings, equipment, or art may also be appropriate for commemoration of significant contributions to the Town of Kittery.

B. The intent of a recognition is to acknowledge and perpetuate the memory of those who have made significant contributions and provide a sense of history, staff, and stakeholders. This policy could govern the procedure for such acknowledgment. Town of Kittery property encompassed by this policy should include:

1. Buildings, facilities, or segments thereof where the naming or dedication is identified on the outside or the interior of the structure.
2. Outdoor areas, which may be gardens, courtyards, or walkways.
3. Equipment and other Town property as appropriate.

Current Situation:

- There is no policy, procedure, criteria or ordinance that defines the process for the recognition of, naming of, honoring a person within the Town of Kittery.
- There has been property named after people by various organizations and or Town departments on their own.
- The lack of a Town ordinance or policy allows for arbitrary naming of property, mistakes and unforeseen issues.

Proposed Solution

- Create an ordinance or policy which allows for and has rules governing the recognition process. See attached sample.

Rationale for the Proposed Solution:

- The spirit of fairness is honored because:
 - All candidates are treated equally and fairly.
 - It affords a recognition procedure that is spelled out and in place.
 - It will not cost the Town significant revenue.
 - It is the right thing to do.

Recommendation:

Establish a procedure to honor a Living or deceased individuals and entities who have made significant contributions to the Town or its citizens through distinguished service and/or the contribution of financial or other resources. Since there is no written policy, procedure or ordinance in place that allows the Town of Kittery to name any property including buildings, rooms, parks, roads or other properties owned by the Town of Kittery, the Kittery Town Council should establish such procedures to allow for fair and equal application based on criteria and rules to have a uniform procedure for the honor of naming of Town property in recognition of said person. Other Departments within the Town of Kittery have made these types of recognitions and that the Town of Kittery should have an ordinance or uniformed policy in place that unifies the process and creates a consistent policy for all entities of the Town.

The Kittery Town Council and the Town Manager should create, craft and enact an ordinance or policy that is applied throughout the Town of Kittery for and Town of Kittery property and remove a past practice element of the undocumented process.

The Town Council should discuss this in public, establish a workshop and perhaps direct the Manager to research and review a process, reference the attached sample policy and together, create and establish a procedure, ordinance or policy to be able to clearly define a path to recognize and individual by naming Kittery Town Property after said person.

Sample Policy or Ordinance language for Name recognition.

RESPONSIBLE INDIVIDUAL: Councilor Charles Denault

Date 08/13/2018

Subject: Establishing a Policy / Ordinance for Name recognition

Policy / Ordinance

The Town of Kittery recognizes individuals and entities who have made significant contributions to the Town or its citizens through distinguished service and/or the contribution of financial or other resources by naming Town buildings, facilities, and other property in their honor. Dedications such as scholarships, plantings, furnishings, equipment, or art may also be appropriate for commemoration of significant contributions to the Town of Kittery.

B. The intent of a policy is to acknowledge and perpetuate the memory of those who have made significant contributions and provide a sense of history, staff, and stakeholders. This policy governs the procedure for such acknowledgment. Town of Kittery property encompassed by this policy includes:

1. Buildings, facilities, or segments thereof where the naming or dedication is identified on the outside or the interior of the structure.
2. Outdoor areas, which may be gardens, courtyards, or walkways.
3. Equipment and other Town property as appropriate.

Criteria for Recognition

A. Individuals and entities who are eligible for recognition under this policy include individuals, families, organizations, corporations, foundations, or other entities which meet either of the following criteria:

1. Individuals/entities who have made a significant contribution to the mission or purpose of the TOWN OF KITTERY through service to the Town; or
2. Individuals/entities who have made a significant contribution to the mission or purpose of the Town or its citizens through the contribution or donation of financial or other resources.

B. The Kittery Town Council has the authority, in its sole and absolute discretion, to determine whether to make a recognition pursuant to this policy and the individual or entity which will receive such a recognition.

C. This policy does not bind the Kittery Town Council to name any Town property, applicable under this policy, after persons or entities who have contributed to the Town or its citizens. In no event shall any such contribution of financial or other resources be made on the condition of, or subject to, the awarding of any recognition under this policy. In no event shall there be any agreement, either implicitly or explicitly, that any such contribution of financial or other resources is being made in exchange for, or as consideration for, the awarding of a recognition under this policy.

Sample Policy or Ordinance language for Name recognition.

Possible Guidelines for recognition.

A. Requests or suggestions for a recognition under this policy may be made by the Town Manager or any member of the Kittery Town Council, Town employees, or any member of the public.

B. All requests/suggestions for a recognition under this policy must be submitted to the Kittery Town Manager on behalf of the Kittery Town Council in writing. Such a letter shall include the name and background of the individual or entity proposed for the recognition and the reason(s) for the request/suggestion.

C. Requests for recognition: The request/suggestion shall be forwarded to the Kittery Town Manager for review. The Town Manager shall then submit the request/suggestion, with a Report to the Town Council report and recommendation, to the Kittery Town Council for consideration. During the Council meeting, the Kittery Town Council may take action to direct the Town Manager to proceed with development of a draft resolution which would then be brought back to the Kittery Town Council at the next meeting for final consideration of whether to award a recognition under this policy.

D. The Kittery Town Council may take action to adopt a resolution which sets forth the following: (1) the name and background of the individual or entity which will receive the recognition; (2) findings regarding the reason for the recognition; and (3) the naming/dedication or other recognition to be made in honor of the individual/entity.

E. The award process may be continued or postponed at any time and from time to time. The recognition or award may take place as action items at any regular or special meeting of the Kittery Town Council at any time and from time to time. Individuals or entities who are the subject of the proposed recognition, or have an interest in supporting or objecting to the proposed recognition, may speak on the matter at the time of consideration of the proposed recognition during the public comment portion meeting.

F. The criteria which the board may take into consideration when making a decision as to whether to award a recognition under this policy may include, but is not limited to, the following:

1. Town property, as applicable under this policy, will not be named to honor persons or entities that have no formal connection with the Town of Kittery unless the recognition is in regard to an individual or entity who has made a significant contribution of financial or other resources.

2. Town property, as applicable under this policy, may be named in recognition of a person or entity that has made a significant contribution of financial or other resources which covers a

Sample Policy or Ordinance language for Name recognition.

substantial portion of the initial cost or, in the case of an existing structure or facility, a substantial portion of the insurable value.

3. Unless the Kittery Town Council determines otherwise, a person or entity's name may be used in naming the Town of Kittery's building, facility or other property, as applicable under this policy, only once.

4. The names of living or deceased persons who have made significant contributions to the Town of Kittery through longevity of service, exemplary leadership, philanthropic contributions or other significant means may be considered for recognition under this policy.

5. Naming the Town of Kittery property, as applicable under this policy, in honor of a person who has given extraordinary distinguished service to the Town of Kittery will not normally be considered until after that member's substantive formal relationship with the Town of Kittery has concluded.

6. When a proposal involves the use of the name of a deceased person, the Kittery Town Councils approval of a recognition under this policy may be made contingent on the agreement of that person's next of kin, depending on the circumstances.

7. The Kittery Town Council reserves the right to rescind the award of a recognition under this policy if it determines, in its sole discretion, that it is no longer in the best interests of the Town to have the applicable Town of Kittery property named after said individual or entity. Said determination may be made at any time upon the adoption of a subsequent resolution pursuant to the procedure set forth in this section for a first and second meeting.

8. The Town of Kittery reserves the right to demolish, retrofit, add to, repair, place or maintain all Town of Kittery buildings, facilities and other property as the Town's needs evolve and in its sole discretion. In the event of such alteration, replacement or removal of Town property which has been named/dedicated pursuant to this policy, the Kittery Town Council may determine, in its sole discretion, whether to award a recognition under this policy for the replacement or other property pursuant to the procedures set forth in this policy.

