



TOWN OF KITTERY

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

WORKSHOP LEGISLATIVE DELEGATION 5:00PM

March 25, 2019

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 - None
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.
10. PUBLIC HEARINGS
 - a. (030219-1) The Kittery Town Council moves to hold a public hearing and ordain Amendments to Title 2 – Fire Chief.
 - b. (030219-2) The Kittery Town Council moves to hold a public hearing and consider for approval a New Victualer's License application for the Hampton Inn & Suites located at 275 Route 1 Kittery, Maine.
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
 - a. (030219-3) The Kittery Town Council moves to appoint a representative to interview Linda Cheatham to be appointed to the Rice Public Library Board.

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition.
 - (030219-4) The Kittery Town Council moves to accept a donation from the Kittery Sharks Jr. Football in the amount of \$2,067.97 to be deposited into Donations to Kittery Community Center account #2063-67500.
- b. (030219-5) The Kittery Town Council moves to approve the disbursement warrants.
- c. (030219-6) The Kittery Town Council moves to approve an MOU with the Library Board of Directors.
- d. (030219-7) The Kittery Town Council moves to accept in principle the gift of assets from the Rice Public Library and to direct the Town Manager to work with the Library Board of Directors on the legal documentation required for Council execution.
- e. (030219-8) The Kittery Town Council moves to approve a New Liquor License application from the Hampton Inn & Suites, 275 Route 1, Kittery, Maine.
- f. (030219-9) The Kittery Town Council moves to approve a renewal Liquor License application from the Dance Hall, 7 Walker Street. Kittery, Maine.
- g. (030219-10) The Kittery Town Council moves to approve a renewal Special Activity Amusement Permit for the Dance Hall, 7 Walker Street. Kittery, Maine.
- h. (030219-11) The Kittery Town Council moves to approve a renewal Liquor License application from Badgers Island Pizza, 3 Island Avenue Kittery, Maine.
- i. (030219-12) The Kittery Town Council moves to approve a renewal Victualer's License application from Lexie's Seasonal LLC. 56 Lincoln St. Exeter, NH 03833. Lexi's Seasonal Food Truck has permission from Post Office Square, 10 Shapleigh Road Kittery to park his Food Truck on April 27, 2019.
- j. (030219-13) The Kittery Town Council moves to approve a request from the Kittery School's Odyssey of the Mind. To fund raise at the Kittery Resource Recovery Facility on Saturday, May 4th 2019 from 9:00am to 4:00pm. There will 8 to 12 students participating, only 4 or 5 at a time in shifts with 1 or 2 adults to supervise.
- k. (030219-13) The Kittery Town Council moves to approve a request from the Kittery Little League. To fund raise at the Kittery Resource Recovery Facility on Saturday May 18th from 9:00am to 3:00 in conjunction with their Tag Day.
- l. (030219-14) The Kittery Town Council moves to approve a Municipal Release Deed from DSS LAND HOLDINGS LLC PO Box 242, York, Maine 03909 for Map/Lot 60-24.

14. COUNCILOR ISSUES OR COMMENTS

15. COMMITTEE AND OTHER REPORTS

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

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: March 21, 2019



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 March 25, 2019

- 1. Tax Liens from Prior Years** – The Annual Goals for the Town Manager include finalizing the project to address tax lien and foreclosed properties from prior years. In 2018, the Council approved ordinances and policies that created the Senior Tax Circuit Breaker program, payment plans for past-due taxes, and a tax deferral program. Finance Department staff have worked this past year to reach out to property owners to determine if they qualify and assist them in getting signed up for the program that best fits their needs.

The next phase of the project is to implement an annual process to address those properties that remain in foreclosure. This process will begin with an advisory letter indicating that the town intends to file for quiet title on the property. Owners will have an opportunity to remedy the foreclosure prior to us filing suit. If the owner is non-responsive, the suit will be filed. If granted by a judge, the quiet title will give the Town a marketable title which is needed to surplus or sell the property. We estimate the cost of processing will be on average \$1,5000 - \$2,000 per title. Due to the years of backlog, we are taking on a limited number of cases for this first round.

- 2. Library Committees** – The Library Building Committee is well underway on the first phase of design. The architect team met with a number of stakeholder groups including the Library Board, Library patrons, Traip students, members of the School Department, the KCC Board, Foreside business owners, and Library staff to evaluate the spatial program and refine it from the baseline Cohen Report (2011). At present the team believes the library needs approximately 15,000 – 16,000 square feet total. The current maximum bonding allowance of \$5,000,000 conceptually supports approximately 15,000 square feet (renovation and new construction). These numbers will be refined as more design work is completed and a greater level of detail is added to the project. The draft program will be posted online. The team also presented a number of preliminary layouts to the Committee. A public presentation is being planned for April 24 to gather public input on refined schematic layouts. Details will be announced in the coming weeks.

The Taylor Building Committee has decided to use the time leading up to a bond referendum vote to gather input on what the community would like to see on the site of the Taylor. Surveys, presence at the Block Party, and other mechanisms will be used to gather the input. Following the bond referendum vote, anticipated for November, the Committee has discussed releasing a Request for Proposals or Request for Ideas to start the process of evaluating options that align with the public sentiment for uses.

- 3. Thresher Memorial Fund** – The Thresher Memorial Fund has served as a source of funding to maintain the flag pole, and to repair and replace the flags at Memorial Circle. The Thresher

Memorial project was supported through private donations of \$212,000 and a gift of \$5,000 to the Town to support the repair and replacement of flags through spring of 2018. We have three flags, that are rotated when a flag needs repair or replacement. The cost of a new flag is \$720 and the cost to repair the flags are approximately \$178. Working with the original vendor from Texas, we are getting a significant discount on both the purchase and repair costs.

The Thresher fund is now in the red, approximately \$380. Generous donations from members of the community and book sales are still coming in, but are not keeping pace with the annual costs (approximately \$2,500/year). The costs will have to be incorporated into the annual budget beginning in FY20, absent an additional infusion of donations.

4. **Route 95 Bridge** – The contract for the Route 95 bridge project has been awarded and the project will be proceeding. Staff from MaineDOT will be present for a Council workshop on April 8 to present the project plans and answer questions.
5. **Division of Marine Resources – Spinney Creek** – I reached out to the DMR to ascertain where they were in their review process of the Spinney Creek Shellfish application for an experimental aquaculture lease. A decision is still in the drafting stages, meaning it has not been made as of yet. It is still unclear if DMR will address whether the Creek is to be considered subtitle or intertidal.
6. **Summer Camp Programs** – The KCC has made a number of adjustments to the Summer Camp program this year following feedback from parents. Improvements include separating the camps into three smaller groups, capping the number of enrollees to better plan for staffing needs, and having all transportation outsourced to a bus company. The team is also developing more engaging activities and schedules for the campers. The KCC held a very successful “sign-up” night for the Summer Programs. The three groups are already approximately half full this early in the sign-up season.

Upcoming Dates:

- Kittery’s Got Talent, March 29, 4PM, Shapleigh School
- Kittery Community Auction – April 5, 6PM, Regatta Room, Eliot
- Celebrity Chef Breakfast – April 9, 8AM, Kittery Community Center
- KCC Easter Egg Hunt – April 13, Shapleigh Field
- Recycling Scholarship Applications Due – April 16, Town Clerk
- Mooring Renewal Applications Due – extended to April 18, Harbormaster

Respectfully Submitted,



Kendra Amaral
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: March 11, 2019
UPDATED: March 25, 2019
From: Kendra Amaral, Town Manager
Subject: Title 2 Revision – Fire Chief
Councilor Sponsor: Chairperson Judy Spiller

The Council established a Town Manager goal for 2019 to evaluate making the Fire Chief position a full-time position. The evaluation resulted in the conclusion that the position should be full-time, and should have the role of Director of Emergency Management incorporated into it. The proposed Title 2 changes reflect the results and implementation of the conclusions.

BACKGROUND

Town Council requested the administration evaluate the Fire Chief position for possible transition to a full-time position. This request was borne out of the ongoing discussion about the challenges of staffing a Call Fire Department.

The Fire Chief is responsible for the safety and training of the firefighters, and for ensuring there are sufficient resources to respond to emergencies. He is charged with developing and administering an annual budget, capital projects, and maintaining two stations, and over \$2.8M in fire apparatus. In Kittery, the Chief is also responsible for the periodic ISO review for the town's insurance rating, and for administering the ambulance services contract.

Fire Chief David O'Brien has served in the role since 1998.

STATEMENT OF NEED

I have reviewed the responsibilities and considered the actual time spent by Chief O'Brien on both administrative and response duties associated with the position. It is clear, one cannot meet the expectations of this position as a part-time employee. Chief O'Brien puts in far more than 29 hours per week on average. His successes are proof of the importance of dedicating the time and effort needed to do the job properly.

Though Chief O'Brien has not indicated an intention to retire yet, it is important to be considering succession planning. When Chief O'Brien retires, the Town will want to attract/retain a Fire Chief who is capable of performing at the same level and with the same success as David. This becomes infinitely challenging with a part-time position.

Chief O'Brien is focused on succession planning and already working on training the next leaders of the department. Being able to confirm the position is full-time supports that effort and ensures we retain the talent in-house.

In consideration of all the above, the position has been made full-time effective January 1, 2019. This does not require Council action.

Through the evaluation it also became clear that the Fire Chief should have the duties of the Director of Emergency Management. The Fire Chief is regularly involved in the management of natural and manmade emergencies, is responsible for local sheltering/warming stations, interfaces regularly with MEMA and FEMA and the various partners involved in responding to large-scale emergencies. This also creates a natural collaborative model for the coordination and collaborative training on emergency preparedness. Chief O'Brien has already begun working with MEMA and FEMA in advance of formalizing his role as Director of Emergency Management. He is assisting efforts to secure funding for the repairs to the Fort Foster beach paths and for replacement/upgrade of the Town Hall generator. He is also updating the Emergency Management Plan which will be presented to Council in the coming months.

Incorporating the Director of Emergency Management duties into the Fire Chief position requires amendments to Title 2 and Title 8.

PROPOSED SOLUTION/RECOMMENDATION

Approve Title 2 Revisions as presented.

ATTACHMENTS

- Proposed Title 2 and Title 8 Amendments
- Proposed Enactment

1 **AMEND Chapter 2.2 Fire Department as follows:**

2 **§ 2.2.3 Fire Chief.**

3 The Fire Chief is the administrative head of the Fire Department and is responsible for the management of
4 the Department. The duties and scope of employment of the Fire Chief are as defined in the Personnel
5 Code, Chapters 2.3, 2.4, ~~and 2.5,~~ and Emergency Management Agency Chapter 8.3. The Fire Chief is
6 appointed by and is directly accountable to the Town Manager. ~~In addition, the Fire Chief is responsible~~
7 ~~for promulgating and enforcing rules, policies and regulations of the Fire Department. In addition to all~~
8 ~~other duties and responsibilities, the Fire Chief prepares the annual budget in a manner and form as the~~
9 ~~Manager deems desirable or the Council requires, consistent with the Town Charter.~~

10 **AMEND Chapter 2.4 Article 8 Fire Department as follows:**

11 **§ 2.4.8.1 Fire Chief.**

12 The purpose of the position of Fire Chief is to provide and maintain a well-trained, equipped department,
13 enabling the Department to protect the lives and property of the citizens of Kittery against fire and other
14 emergency situations. This position reports to the Town Manager. The Fire Chief serves as Director of
15 Emergency Management. Duties include, but are not limited to, responding to emergency calls;
16 promulgating and enforcing rules, policies and regulations of the Fire Department; preparing an annual
17 budget; supervising all firefighters; planning and coordinating administrative and technical functions of
18 fire prevention service (including motor vehicles and small watercraft); maintaining incident reports,
19 workers' compensation records, maintenance and logs and records, and insurance reports; providing for
20 the upkeep of firefighting and rescue equipment; and performing additional tasks as assigned.

21 **AMEND Title 8 Chapter 8.3 Emergency Management Agency as follows:**

22 **§ 8.3.4 Organization and appointments.**

- 23 A. The Emergency Management Agency is hereby established within the executive department of the
24 Town government and under the direction of the Town Manager. The Town Manager is hereby
25 authorized to organize the Emergency Management Agency, utilizing to the fullest extent possible
26 the existing agencies within the Town.
- 27 B. There is an executive head of the Emergency Management Agency who is known as the Director of
28 the Emergency Management Agency. The Director is appointed by ~~the Town Council~~ and works
29 under the direction of the Town Manager.

**KITTERY TOWN CODE TITLE 2 and TITLE 8, PROPOSED AMENDMENT –
FIRE CHIEF**

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

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

10 **WHEREAS**, the Council finds the expectations, responsibilities, and expertise required to serve
11 as Director of Emergency Management are most aligned with that of the role of Fire Chief; and

12 **WHEREAS**, assigning the leadership of Emergency Management to the Fire Chief position
13 establishes an opportunity for greater collaboration with the Police Department, Public Works,
14 and outside agencies involved in the response to manmade and natural disasters in Kittery;

15 **NOW THEREFORE**, IN ACCORDANCE WITH TITLE 30-A MRS §3001, AND TOWN
16 CHARTER §2.14, THE TOWN OF KITTERY HEREBY ORDAINS TITLE 2, PERSONNEL and
17 ADMINISTRATION, AND TITLE 8 EMERGENCY MANAGEMENT AGENCY OF THE TOWN
18 CODE, AS PRESENTED.

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

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

25 **Attest:** {NAME}, _____ Town Clerk



TOWN OF KITTEERY
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.): 275 Route 1, LLC
(please print)

Applicant Address: One NH Avenue, Suite 101, Portsmouth, NH 03801
(please print)

Applicant's mailing address if different from above: 1000 Market Street, Suite 300, Portsmouth, NH 03801

Date of Birth (Sole Proprietor): _____ Applicant's Telephone Number: 603-559-2167

Business Name: Hampton Inn & Suites Kittery
(please print)

Business Address: 275 Route 1, Kittery, ME 03904
(please print)

Business Telephone Number: 207-439-0751

Signature of Applicant:  DATE: 8/16/18

Applicant's Name: Daniel Plummer
(please print)

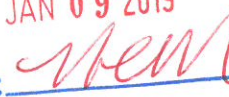
LICENSE FEE: \$ 50.⁰⁰

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

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

RECEIVED

JAN 09 2019

BY: 



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

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

RECEIVED
FEB 27 2019
BY: 3:37

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Linda C. Cheatham
RESIDENCE: 144 Pepperrell Road, Kittery Point, ME 03905
MAILING (if different) Same as above

E-MAIL ADDRESS: Lcheata2010@gmail.com PHONE #: (Home) 207-703-0156 (Work) none
Please check your choices:

- | | |
|--|--|
| <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 type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input checked="" type="checkbox"/> Other <u>Rice Public Library Board</u> |

EDUCATION/TRAINING: BS and M.A. from the University of Texas at Austin
RELATED EXPERIENCE (Including other Boards and Commissions) _____

During my 32 year career as a U.S. Foreign Service officer, I worked closely with our embassies' libraries and information-resource centers abroad.

PRESENT EMPLOYMENT: Retired
ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY Yes No

ANY KNOWN CONFLICT OF INTEREST: no

REASON FOR APPLICATION TO THIS BOARD: I believe it would be the best way I can serve the town
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.

Linda C. Cheatham
SIGNATURE OF APPLICANT

February 27, 2019
DATE



Kennebunk Savings

Treasurer's Check 549402

02/28/2019

DATE

TO THE ORDER OF *** DONATIONS TO KCC ***

PAY EXACTLY **** Two Thousand Sixty Seven and 97/100****

Security features included. Details on back.

\$ 2,067.97

MEMO

From Kittery Sharks Jr. Football

KENNEBUNK SAVINGS BANK
KENNEBUNK, MAINE

52-7450
2112

[Signature]
AUTHORIZED SIGNATURE

KITTERY COMMUNITY CENTER DEPOSIT

Date: 3/5/2019

Receipt # Kittery Sharks Jr. Football

Checks: \$ 2067.97

Cash: \$ —

Total: \$ 2067.97

2063-67500

Account #: Fundraising

Initials: CD Denault



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

REPORT TO TOWN COUNCIL

Meeting Date: March 25, 2019
From: Kendra Amaral, Town Manager
Subject: Library Memorandum of Agreement and Acceptance of Gift
Councilor Sponsor: Chairperson Judy Spiller

EXECUTIVE SUMMARY

The Library Board of Directors and the Town Council have discussed and found terms generally agreeable for the Memorandum of Understanding guiding the transition of the Library into a Town department. The MOU establishes the parameters for implementation of the transition and the development of deeds and other legal documentation to affect the transition.

Additionally, the Council is being asked to accept, in principle, the gift of the assets in accordance with the MOU terms. This will allow for the Town Attorney and the Library's legal counsel to draft any deeds and other legal documentation required. Additionally, an acceptance in principle will allow Town and Library staff the time and authority needed to advance the administrative processes of the transition. The Council will be required to execute the deed and any other legal documentation for the transfer of assets at a later date, but prior to July 1, 2019.

PROPOSED SOLUTION/RECOMMENDATION

Approve the Memorandum of Understanding and Accept the Gift of the Assets as proposed.

ATTACHMENTS

- Memorandum of Understanding
- Notice of Gift from the Library Board of Directors
- Legal Review for Gifting Process

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM (hereinafter the “Memorandum”) is intended to set forth the understanding between the **RICE PUBLIC LIBRARY**, a nonprofit corporation duly organized and existing under the laws of the State of Maine with a place of business at Kittery, County of York and State of Maine (hereinafter the “Library”), acting by and through its duly constituted Board of Directors, and **THE INHABITANTS OF THE TOWN OF KITTERY**, a body politic and incorporated subdivision of the State of Maine in Kittery (hereinafter the “Town”) acting by and through its duly appointed Town Manager and duly elected Town Council.

Background:

Under the Last Will and Testament of Arabella Rice, funds were set aside for the creation of a free public library for the inhabitants of the Town of Kittery. From those funds and other sources, a parcel of land was acquired on Wentworth Street in the Town of Kittery and a free public library known as the Rice Public Library was constructed and furnished. Although the Library for most of its existence was financially self-supporting, at a point in time, as the Library evolved into a modern institution with professional staff and expanded services, it became necessary to seek financial assistance from the Town. At the present time, the Town provides most of the financial support necessary for maintenance of the Library properties and for payment of salaries and other expenses of the Library.

Most recently the Library has sought to consolidate its operations in one location better designed to meet the needs of the residents of Kittery. In a non-binding referendum question submitted to the voters of Kittery on November 7, 2017, it was the consensus of the voters to locate the operations of the Library at its original location on Wentworth Street with an expansion of the existing building.

Due to the anticipated renovation and expansion of the Rice building and the anticipated reliance on municipal funds for the renovation and expansion, discussions have commenced concerning the transfer of certain property of the Library to the Town and employment of Library personnel by the Town.

Purpose:

The purpose of this Memorandum is to set forth the understanding of the parties hereto concerning transfer of Library property to the Town, employment of Library personnel by the Town, operation of the Library by the Town as a line department and the role of the nonprofit corporation following the transfer of Library property and personnel to the Town.

Principles:

1. The Library will continue its current operation of a free public library for the Town at its Walker and Wentworth street locations as the Town works to implement the renovation and expansion project of the Rice Library building.

2. The premises and library-owned appurtenances, books and equipment, at 2 Walker Street and 8 Wentworth Street, including the books and equipment located therein and used in the operation of a public library, will be contributed/transferred to the Town on or about July 1, 2019.
3. Prior to transfer of the buildings, the Board of Directors will contract for a professional appraisal of the Taylor Building property located on 2 Walker Street.
4. The appraised value of the Taylor Building property will be the Library's primary financial contribution to the renovation project.
5. The Library will become a Town department and the current staff and personnel of the Library will become employees of the Town, with commensurate compensation at the time of transfer of the assets described in Section 2 of the Library to the Town, on or about July 1, 2019.
6. The nonprofit corporation Rice Public Library shall continue to exist as a nonprofit corporation in the State of Maine and shall maintain its status as a Section 501(c)(3) organization under the Internal Revenue Code. The following cash and related assets remain the property of the nonprofit corporation for its purposes:
 - a. Cash excluding any operating reserve funds, and including donations from the Annual Appeal and other charitable contributions to the Rice Public Library.
 - b. Stock (Exxon, 384 shares; IBM, 20 shares)
 - c. 2017 Varney Bequest, (TD Bank CD, approximately \$100,000).
 - d. 50% of the remainder of Arabella Rice Trust (cash: approximately \$31,250).
7. The Board of Directors of the nonprofit corporation will engage in fundraising and other activities designed to further the purposes of the Library.
8. Every effort will be made to minimize the impact on library operations and services in both the Rice Building and Taylor Building until the renovation and expansion of the Rice Building is complete.
9. This Understanding is contingent upon the Town Council acceptance of the Rice Public Library's gift of the assets no later than March 25, 2019.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum and confirmed its purpose and the principles set forth above.

INHABITANTS OF THE TOWN OF KITTEERY
By its Town Council

RICE PUBLIC LIBRARY
By its Board of Directors

Judy Spiller, Chair

Rachel J. Dennis, President

Matt Brock

David Harris, Co President

Charles Denault

George Dow

Kenneth E. Lemont

Dianne Fallon

Jeffrey D. Thomson

Douglas Greene

Jeffrey Pelletier

William Tredwell

Cyrus Clark

Maine Revised Statutes
Title 27: LIBRARIES, HISTORY, CULTURE AND ART
Chapter 3: PUBLIC LIBRARIES

§109. GIFTS AND DEVISES TO TOWNS

Any town, as such, may receive, hold and manage devises, bequests or gifts for the establishment, increase or maintenance of a public library therein; and may accept by vote of the legal voters thereof any land or land and buildings thereon, to be used as a public library or art gallery, or both combined. When any plantation is incorporated into a town such gifts and the proceeds thereof fully vest in such town.

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PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

Kendra Amaral

From: Kendra Amaral
Sent: Monday, June 18, 2018 9:31 AM
To: Lee Perkins; Gary Beers; Patricia Moore; Rachel Dennis
Subject: FW: Kittery/Library Question

From: Legal Services Department <legal@memun.org>
Sent: Friday, June 15, 2018 2:36 PM
To: Kendra Amaral <KAmaral@kitteryme.org>
Subject: Kittery/Library Question

Kendra,

We discussed a proposal for the existing town library, which is a separately incorporated entity, to be converted to a municipal department. This would involve the donation and transfer of land, a building, personal property, and funds to the town.

We discussed that the town's charter, section 2.06, indicates that "all the powers of the town shall be vested in the council" except as otherwise provided. Section 2.07 enumerates some powers of the council. Section 14.03 lists a number of powers reserved to the town meeting, none of which involve acceptance of donations of land, buildings, personal property or money. Although section 2.07 does not address whether it is a non-exclusive list of powers, I would tend to read sections 14.03, 2.06 and 2.07 together as designating the council as the legislative body of the town for all matters not stated in section 14.03, with section 2.07 listing some specific council powers. As we discussed, my opinion assumes there is not anything in a charter commission report or any longstanding interpretation from the town's attorney otherwise.

There are a set of statutes in Maine law that address donations and gifts to municipalities. Specifically, 30-A MRS § 5653 (dealing with gifts of property in trust), § 5654 (dealing with conditional gifts), § 5655 (dealing with unconditional gifts) all require the approval of the municipal "legislative body" in order to accept such gifts and donations. As noted above, I believe the council is the municipal legislative body for purposes of accepting these types of gifts and donations.

You also asked about a set of statutes in Title 27, dealing with "free libraries." See 27 MRS § 101 – 109 (<http://www.mainelegislature.org/legis/statutes/27/title27ch3sec0.html>). This is a set of archaic "pre-home rule" statutes that were enacted at a time when municipalities needed an "enabling" statute in order to take actions or establish programs. These statutes are simply a set of statutes that authorize municipalities to establish libraries. Since 1970, municipalities have had "home rule" authority to exercise any power or function which the Legislature has power to confer, which is not denied either expressly or by clear implication. That includes the ability to transfer legislative authority from the town meeting/voters to a council through a charter. You were also concerned that 27 MRS § 109 required a vote of the "voters" to accept land and buildings. There is nothing in the Title 27 statutes linked above that indicates that these provide the exclusive method of establishing a municipal library or accepting bequests/gifts, etc.. for such purpose. In my opinion, and that of a colleague I consulted, the reference to "legal voters" is an older way of

referring to the municipal legislative body (usually the town meeting). Since the 1970's municipalities have been able to alter the legislative body of the municipality through a charter, as Kittery has done.

Finally, I just wanted to mention that if trust funds are to be transferred to the town, the library may need to seek permission from the AG's office or a probate court to change the identity of the trustee. The AG's Office is a party to all court proceedings relating to public trust funds, and may have some authority to approve or provide technical assistance in these situations. See 5 MRSA § 194. Contact the AG's Office of Consumer Protection ((207) 626-8800) with questions.

Please let me know if you have any questions.

Susanne F. Pilgrim, Esq., Director
Legal Services Department



RICE PUBLIC LIBRARY

March 19, 2019

Kendra Amaral, Town Manager
Town of Kittery
200 Rogers Road
Kittery, Maine 03904

Re: Transfer of Property at 8 Wentworth Street and 2 Walker Street

Dear Manager Amaral:

On behalf of the Board of Directors (the "Directors") of the Rice Public Library (the "Library"), a nonprofit corporation duly organized and existing under the laws of the State of Maine, and pursuant to the provisions of the Memorandum of Understanding dated March 12, 2019 and executed by the Town Council and the Directors, the Library hereby formally offers to the Inhabitants of the Town of Kittery (the "Town") the following property:

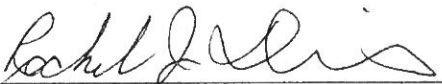
1. Legal title to the real property consisting of the land and buildings and any improvements located thereon situated at 8 Wentworth Street, Kittery;
2. Legal title to the real property consisting of the land and buildings and any improvements located thereon situated at 2 Walker Street, Kittery;
3. Personal property consisting of all appurtenances owned outright by the Library and located in either of the foregoing parcels of real property, and including specifically, but without limitation, all books and equipment, furnishings, collections and other property used in the operation of the Library; and,
4. One-half of the remaining cash held by the Library in the Arabella Rice Trust amounting to approximately \$31,250.00 as of the date of this letter.

Upon acceptance of this offer by the Town Council, the Library is prepared to direct its counsel to draft appropriate deeds and instruments of conveyance to expeditiously accomplish the

Kendra Amaral, Town Manager
Town of Kittery
March 19, 2019
Page Two

conveyance of the foregoing assets to the Town in accordance with the Memorandum of Understanding.

Very truly yours,
RICE PUBLIC LIBRARY

By: 
Rachel J. Dennis, Its President

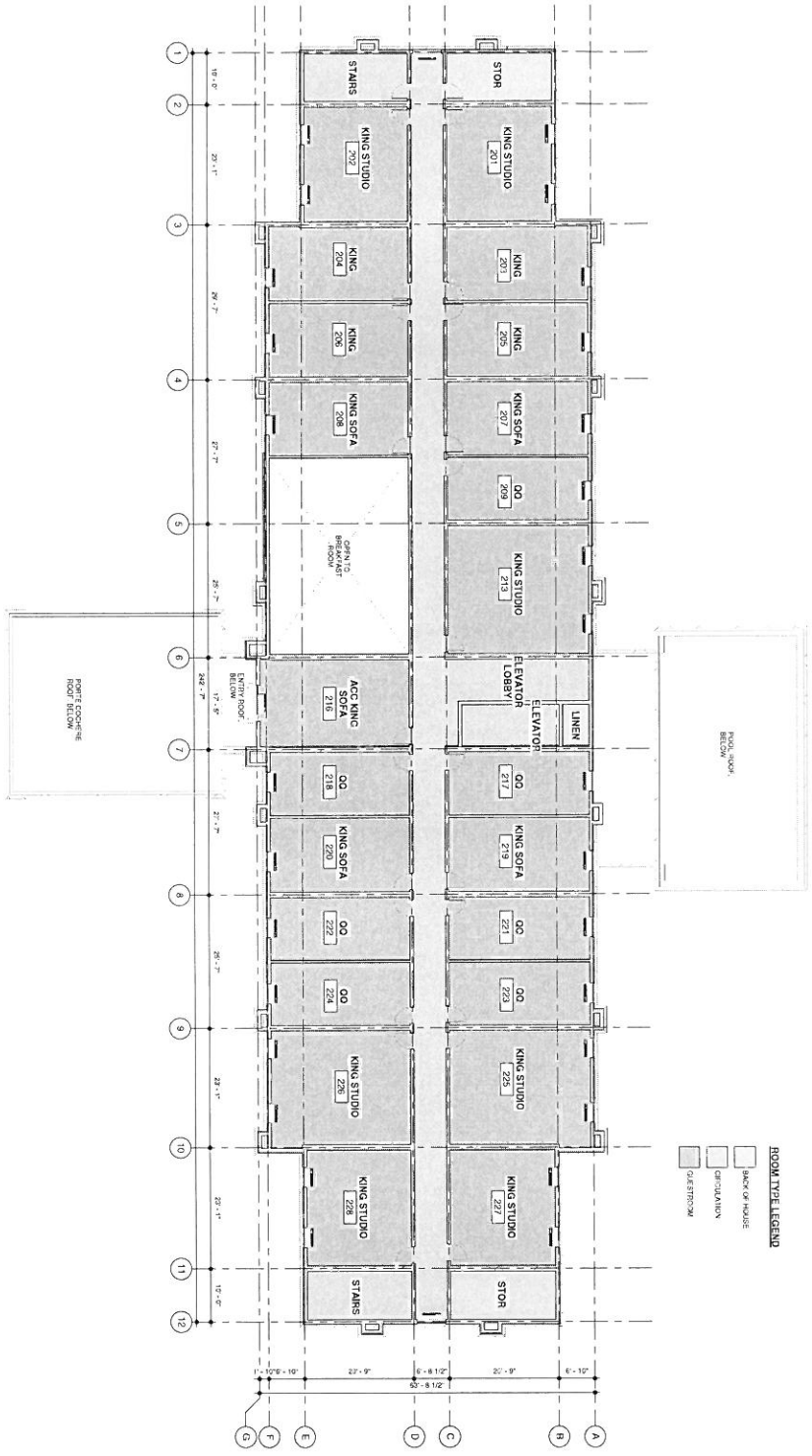
5. Do you permit dancing or entertainment on the licensed premises? YES NO Special Events Only
6. If manager is to be employed, give name: Cathi Tingley
7. Business records are located at: One NH Avenue, Suite 101, Portsmouth, NH 03801
8. Is/are applicants(s) citizens of the United States? YES NO
9. 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
Cathi Tingley	2/13/64	Kabul, Afghanistan
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
71 Main Street, Chichester, NH 03258		

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: _____ 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: _____
15. Describe in detail the premises to be licensed: **(On Premise Diagram Required)** 83 Room Hotel including any and all banquet/function space
16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for: Eating/Lodging Application
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? .8 miles
- 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: Bangor Savings Bank



A1 SECOND FLOOR PLAN



- ROOM TYPE LEGEND**
- BACK OF HOUSE
 - CIRCULATION
 - GUESTROOM



HAMPTON INN & SUITES
 200 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

TWO INTERNATIONAL GROUP



BMA
 Architectural Group
 Professional Corporation
 Architects • Designers • Planners
 12 Maple Street, Suite 500
 Fort Worth, Texas 76102
 TEL: 817.339.1971 FAX: 817.339.1988
 www.bmaarchitect.com

NOT APPROVED FOR CONSTRUCTION

PROJECT NUMBER
A-102
 DATE: 23-JULY-2015

SECOND FLOOR PLAN

DESIGNER
 BMA ARCHITECTURAL GROUP

DATE
 23-JULY-2015

PROJECT
 200 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

CLIENT
 TWO INTERNATIONAL GROUP

SCALE
 AS SHOWN

DATE
 23-JULY-2015

PROJECT
 200 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

CLIENT
 TWO INTERNATIONAL GROUP

SCALE
 AS SHOWN

DATE
 23-JULY-2015

PROJECT
 200 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

CLIENT
 TWO INTERNATIONAL GROUP

SCALE
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PROJECT
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 FORT WORTH, TEXAS 76102

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PROJECT
 200 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

CLIENT
 TWO INTERNATIONAL GROUP

SCALE
 AS SHOWN

DATE
 23-JULY-2015



HAMPTON INN & SUITES
 280 INTERNATIONAL DRIVE, SUITE 100
 FORT WORTH, TEXAS 76102

TWO INTERNATIONAL GROUP

BMA
 Architectural Group
 Professional Corporation
 Address: 2000 North Stemmer
 Dallas, Texas 75206
 TEL: 409.473.1911 FAX: 409.473.1945
 WWW.BMAARCHITECTS.COM

NOT APPROVED FOR CONSTRUCTION

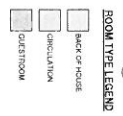
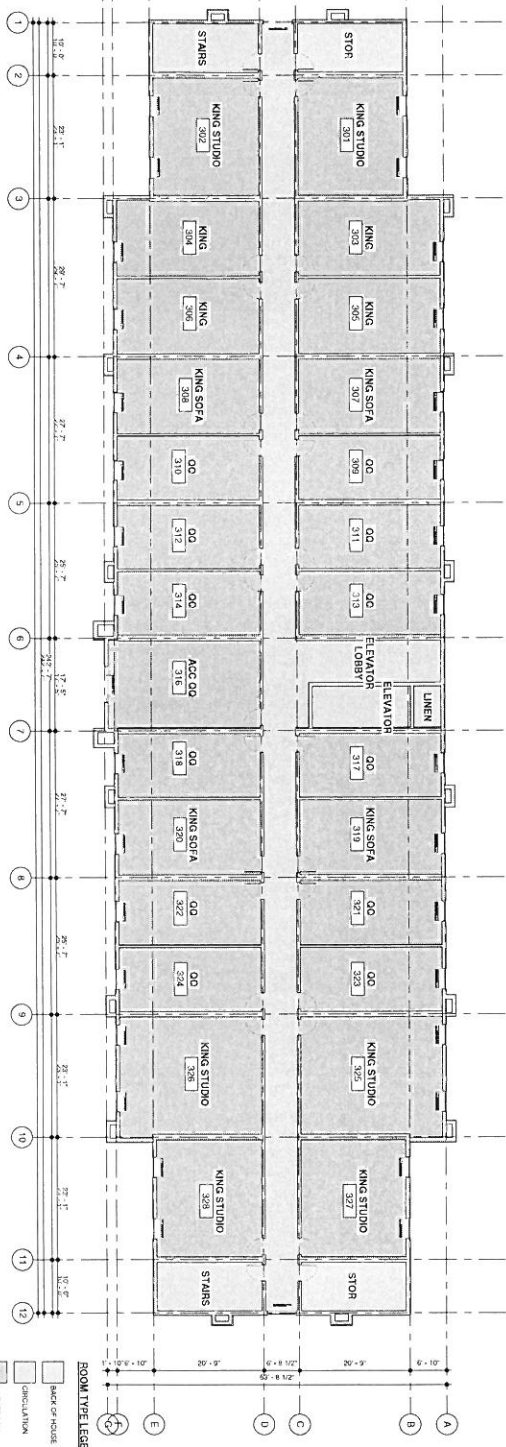
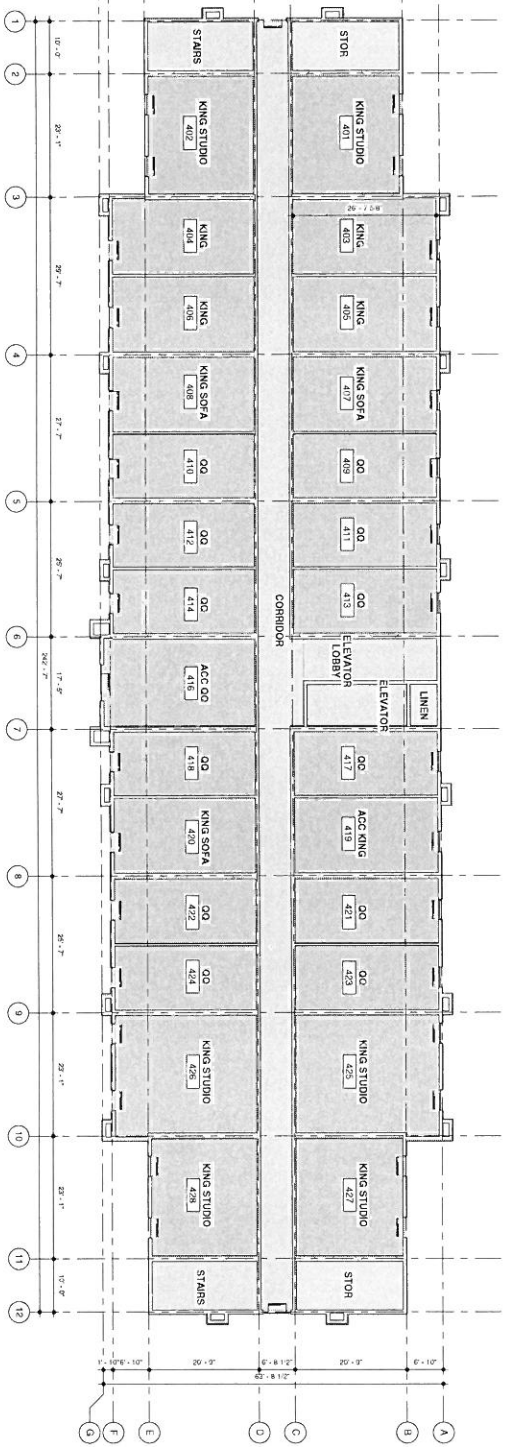
REVISIONS

NO.	DATE	DESCRIPTION

THIRD AND FOURTH FLOOR ARCHITECTURAL PLANS

A-103

DATE: 22 JULY 2014





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 <input type="checkbox"/> No <input type="checkbox"/>

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.

- Exact legal name: 275 Route 1, LLC
- Doing Business As, if any: Hampton Inn & Suites Kittery
- Date of filing with Secretary of State: 9/10/14 State in which you are formed: NH
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine: 10/16/15
- 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 %
	SEE ATTACHMENT			

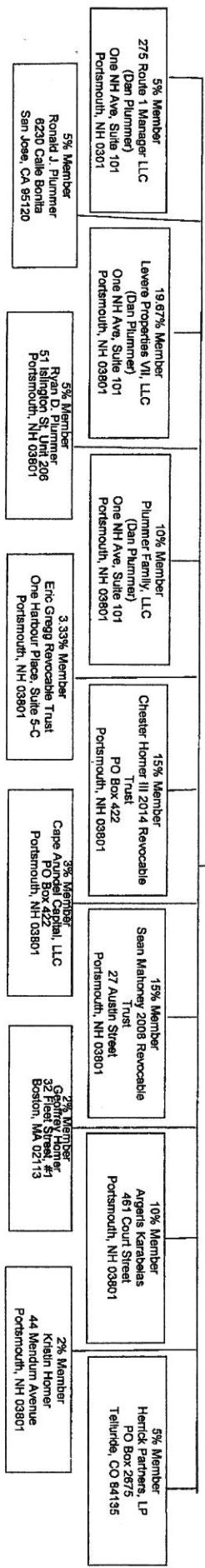
(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

Hampton Inn Kittery
 275 Route 1
 Kittery, Maine 03904

Majority Control Owner/Contact Person:
 Daniel L. Plummer
 D.O.B.: 12/31/1949
 Address: One Harbour Place, Suite 5-B
 Portsmouth, NH 03801

100% Owner
275 Route 1, LLC
 New Hampshire LLC formed on 09/10/2014
 Authorized to do business in Maine on 10/16/2015
 Federal Identification Number: 47-1865218
 Sales Tax Number: 1196108
 Managing Member: 275 Route 1 Manager, LLC
 Manager: Daniel L. Plummer



5% Member
 275 Route 1 Manager, LLC
 (Dan Plummer)
 One NH Ave, Suite 401
 Portsmouth, NH 03801

5% Member
 Ronald J. Plummer
 6230 Calle Bonita
 San Jose, CA 95120

19.67% Member
 Levere Properties VII, LLC
 (Dan Plummer)
 One NH Ave, Suite 101
 Portsmouth, NH 03801

5% Member
 Ryan D. Plummer
 51 Islington St, Unit 208
 Portsmouth, NH 03801

10% Member
 Plummer Family, LLC
 (Dan Plummer)
 One NH Ave, Suite 101
 Portsmouth, NH 03801

3.33% Member
 Eric Gregg Revocable Trust
 One Harbour Place, Suite 5-C
 Portsmouth, NH 03801

15% Member
 Chester Homer III 2014 Revocable
 Trust
 PO Box 422
 Portsmouth, NH 03801

3% Member
 Cape Aurora Capital, LLC
 PO Box 422
 Portsmouth, NH 03801

15% Member
 Sean Mahoney 2008 Revocable
 Trust
 27 Austin Street
 Portsmouth, NH 03801

2% Member
 Chester Homer III 2014 Revocable
 Trust
 32 Park Street
 Boston, MA 02113

10% Member
 Argenta Kambelas
 461 Court Street
 Portsmouth, NH 03801

2% Member
 Kristin Homer
 44 Meridian Avenue
 Portsmouth, NH 03801

5% Member
 Herrick Partners LP
 PO Box 2875
 Telluride, CO 81435

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: _____

Date of Conviction: _____

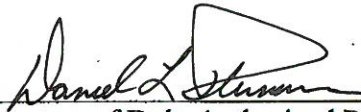
Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

*



8/16/18

Signature of Duly Authorized Person Date

Daniel L. Plummer, Manager
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

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: Dartmouth, NH on Aug 16, 2018
Town/City, State Date

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

Daniel Plummer, Manager
 Print Name

 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).]

License No:
Class: By:
Deposit Date:
Amt. Deposited:
Cash Ck Mo:

**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**

NEW application: Yes No

PRESENT LICENSE EXPIRES 4/22/19

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 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 checked="" type="checkbox"/> OTHER: <u>Non-Profit Performing Arts Venue</u> | |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: The Dance Hall	Business Name (D/B/A) Same
APPLICANT(S) -(Sole Proprietor) DOB:	Physical Location: 7 Walker Street
DOB:	City/Town Kittery State Maine Zip Code 03904
Address	Mailing Address PO Box 691
City/Town State Zip Code	City/Town Kittery State ME Zip Code 03904
Telephone Number Fax Number	Business Telephone Number 207-703-2083 Fax Number
Federal I.D. # 45-0964224	Seller Certificate #: 7722 or Sales Tax #:
Email Address: thedancehallkittery@gmail.com Please Print	Website: www.thedancehallkittery.org

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection date: _____ Business hours: _____

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____

2. State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR **\$22,491**

3. Is applicant a corporation, limited liability company or limited partnership? YES -Non -profit

Yes, please complete the Corporate Information required for Business Entities who are licensees.

4. Do you permit dancing or entertainment on the licensed premises? YES NO

5. If manager is to be employed, give name: Drika Overton, Edward Golden

6. Business records are located at: 7 Walker St., Kittery, ME

7. Is/are applicants(s) citizens of the United States? YES NO

8. Is/are applicant(s) residents of the State of Maine? YES NO

On Premise Rev. 1-2017

9. 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
Hendrika Overton	5/14/1952	Santa Monica, CA
Edward Golden	1/9/1950	Grand Rapids, MI
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
Kittery, Maine		

10. 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: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____ (use additional sheet(s) if necessary)

11. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

12. Has/have applicant(s) formerly held a Maine liquor license? YES NO

13. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

14. Describe in detail the premises to be licensed: (On Premise Diagram Required) **Former Grange Hall, one floor w lobby, hall and bathroom w 3 forms of egress. Basement, 2nd bathroom. (See attached diagram)**

15. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES NO Applied for: _____

16. 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? 3 blocks

Which of the above is nearest? Church

17. 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: As a non-profit organization we receive grants and donations.

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.

On Premise Rev. 1-2017

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 on Feb 21, 2019
Town/City, State Date

Please sign in blue ink

[Handwritten Signature]
Signature of Applicant or Corporate Officer(s)

Signature of Applicant or Corporate Officer(s)

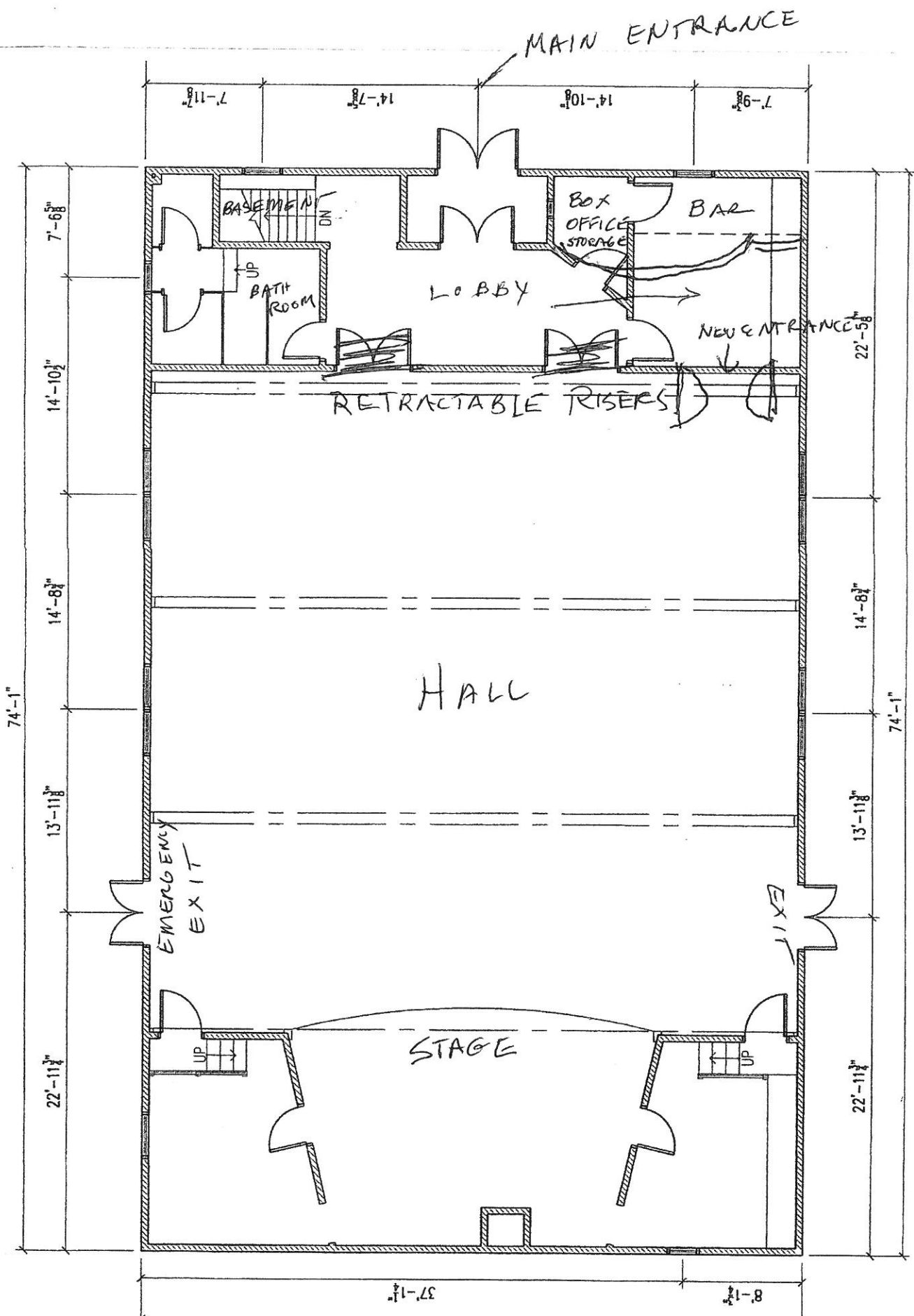
DRIKA OVERTON
Print Name

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.	
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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.



MAIN ENTRANCE

7'-11 1/2" 14'-7 1/2" 14'-10 1/2" 7'-9"

BASEMENT
DN

BATH ROOM

BOX OFFICE
STORAGE

BAR

LOBBY

NEW ENTRANCE

RETRACTABLE RISERS

HALL

STAGE

EMERGENCY
EXIT

EXIT

UP

UP

7'-6 5/8"
14'-10 1/2"
14'-8 1/2"
13'-11 1/2"
22'-11 1/4"

22'-5 5/8"
14'-8 1/4"
13'-11 1/2"
22'-11 1/4"

37'-1 1/2" 8'-1 1/2"

74'-1"

74'-1"

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.

STATE OF MAINE

Dated at: Kittery, Maine York

City/Town

(County)

On: _____
Date

The undersigned being: Municipal Officers County Commissioners of the
 City Town Plantation Unincorporated Place of: Kittery, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

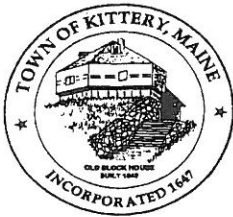
§653. Hearings; bureau review; appeal

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).]



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road
Kittery, Maine 03904
Phone 207-475-1328 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:

The Dance Hall, a 501(c)3 non-profit
The dance hall Kittery.org

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

The Dance Hall, 7 Walker St.
P.O. Box 691, Kittery, ME 03904

Mailing address and telephone number of owner of the real estate:

P.O. Box 691
Kittery, ME 03904 207-708-2083

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

The main Hall, first floor

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

Fridays, Saturdays and occasional Sundays

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

music concerts; music & dance; dance
performance

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:

No

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

We are a non-profit arts & cultural
organization celebrating and advancing
music, dance & performing arts

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:

Executive Director, The Dance Hall

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: 2/21/19

SIGNATURE OF APPLICANT: Drika Overton

APPLICANT'S NAME: Drika Overton
(please print)

ADDRESS: 161 Whipple Rd, Kittery, ME 03909
(please print)

TELEPHONE NUMBER: 603-661-7510

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

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008 (Regular Mail)
10 WATER STREET, HALLOWELL, ME 04347 (Overnight Mail)
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:	
Good SOS & DBA: YES <input type="checkbox"/> NO <input type="checkbox"/>	

PRESENT LICENSE EXPIRES: 4/30/19

NEW application: Yes No

If business is NEW or under new ownership, indicate starting date: _____

Requested inspection (New Licensees/ Ownership Changes Only) Date : _____ Business hours: _____

INDICATE TYPE OF PRIVILEGE: MALT VINOUS SPIRITUOUS

INDICATE TYPE OF LICENSE:

- RESTAURANT (Class I,II,III,IV) RESTAURANT/LOUNGE (Class XI) CLASS A LOUNGE (Class X)
 HOTEL (Class I,II,III,IV) HOTEL, FOOD OPTIONAL (Class I-A) BED & BREAKFAST (Class V)
 GOLF COURSE (Class I,II,III,IV) TAVERN (Class IV)
 QUALIFIED CATERING
 OTHER: _____

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>BADGER'S ISLAND PIZZA LLC</u>	Business Name (D/B/A) <u>BADGER'S ISLAND PIZZA</u>
APPLICANT(S) –(Sole Proprietor) DOB:	Physical Location: <u>3 ISLAND AVE</u>
DOB:	City/Town State Zip Code <u>KITTERY ME 03904</u>
Address <u>30 REMICKS LANE</u>	Mailing Address <u>SAME</u>
City/Town State Zip Code <u>KITTERY ME 03904</u>	City/Town State Zip Code
Telephone Number Fax Number <u>207-439-4110</u>	Business Telephone Number Fax Number <u>207-439-5996</u>
Federal I.D. # <u>464531902</u>	Seller Certificate #: or Sales Tax #: <u>1167939</u>
Email Address: Please Print <u>JOHN@BADGERSISLANDPIZZA.COM</u>	Website: <u>BADGERSISLANDPIZZA.COM</u>

1. If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____

2. State amount of gross income from period of last license:
 ROOMS \$ _____ FOOD \$ 597,402 LIQUOR \$ 9795.00

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 permit dancing or entertainment on the licensed premises? YES NO

5. Do you own or have any interest in any another Maine Liquor License? Yes No (Use an additional sheet(s) if necessary.) If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____

Physical Location _____ City / Town _____

6. If manager is to be employed, give name: KELLIE HUDDLESTON

7. Business records are located at: 3 ISLAND AVE KITTERY ME

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.

Full Name (Please Print)	DOB	Place of Birth
JOHN W. HUDDLESTON	12/15/59	PALESTINE TX

11. Residence address on all of the above for previous 5 years (Limit answer to city & state)

Name: JOHN HUDDLESTON	City: KITTERY	State: MAINE
Name: _____	City: _____	State: _____
Name: _____	City: _____	State: _____

12. 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: _____ Date of Conviction: _____

Offense: _____

Disposition: _____ (use additional sheet(s) if necessary)

13. Will any law enforcement official benefit directly in your license, if issued?

Yes No If Yes, give name: _____

14. Has/have applicant(s) formerly held a Maine liquor license? YES NO

15. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

A*P REALTY TRUST 15 VAN BUREN AVE PORTSMOUTH NH 03801

16. Describe in detail the premises to be licensed: (On Premise Diagram Required) 40 SEAT PIZZERIA

ON GROUND FLOOR OF 3 STORY MIXED USE BUILDING

17. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?

YES NO Applied for: _____

18. 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? .5 MILES

Which of the above is nearest? CHURCH

19. 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: RITZERY, ME on FEB 26, 20 19
Town/City, State Date

[Signature]
Signature of Applicant or Corporate Officer(s)
JOHN HUDDLESTON
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;	
Class III & IV Malt & Vinous Only	\$ 440.00
CLASS III & IV: 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 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	



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	<input type="checkbox"/> No <input type="checkbox"/>

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.

- Exact legal name: BADGER'S ISLAND PIZZA LLC
- Doing Business As, if any: BADGER'S ISLAND PIZZA
- Date of filing with Secretary of State: 1/8/14 State in which you are formed: MAINE
- If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

- 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 %
JOHN HUDDLESTON	30 REMICKS LANE KITTEBY MAINE 03904	12/15/59	OWNER	100

(Stock ownership in non-publicly traded companies must add up to 100%.)

- If Co-Op # of members: _____ (list primary officers in the above boxes)

7. 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

8. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: _____

Date of Conviction: _____

Offense: _____

Location of Conviction: _____

Disposition: _____

Signature:

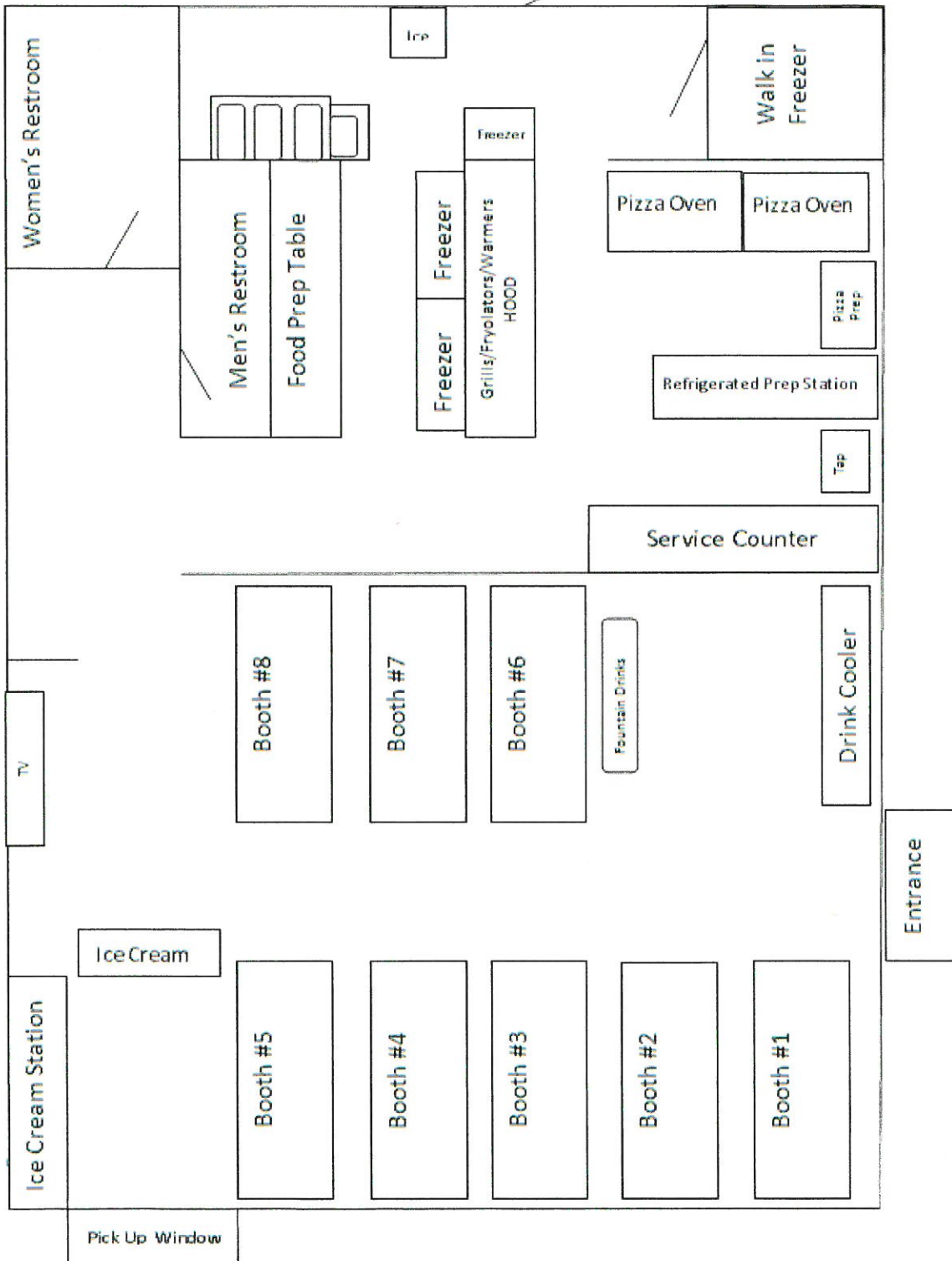

Signature of Owner or Corporate Officer

2/26/19
Date

John Huddleston
Print Name of Owner or Corporate Officer

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



STATE OF MAINE

Dated at: _____, Maine _____ ss
City/Town (County)

On: _____
Date

The undersigned being: _____ of the
City Town Plantation Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§ 653. Hearings; bureau review; appeal

- 1. Hearing. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, shall hold a public hearing for the consideration of applications for new on-premise licenses and applications for transfer of location of existing on-premise 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-premise license, for transfer of the location of an existing on-premise license or for renewal of an on-premise 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-premise license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premise license that has been extended pending renewal with 120 days of the filing of the application. [1999, c589, §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, c45, 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 violation 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; and [1989, c.592, §3 (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. [1989, c.592, §4 (new).]
[1993, c730, §27 (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).]
4. No license to person who moved to obtain a license. (REPEALED)
5. (TEXT EFFECTIVE 3/15/01) 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.

2/28
3/25



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.): Kerry C. Cargill
Lexics Seasonal LLC
(please print)

Applicant Address: 149 High St. Exeter N.H. 03833
(please print)

Applicant's mailing address if different from above: ~~56 Lincoln St. Exeter N.H.~~

Date of Birth (Sole Proprietor): 5/6/1974 Applicant's Telephone Number: 978-914-0884
03833

Business Name: Lexics Seasonal LLC
(please print)

Business Address: 56 Lincoln St. Exeter N.H. 03833
(please print)

Business Telephone Number: 978-914-0884

Signature of Applicant: [Signature] DATE: 3/4/19

Applicant's Name: Kerry C. Cargill
(please print)

LICENSE FEE: \$ 25.00

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

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

Karen Estee

From: Kendra Amaral
Sent: Thursday, March 07, 2019 1:44 PM
To: Karen Estee
Subject: FW: [Kittery ME] "tag day" at the transfer station (Sent by Brenda Bladen, bbladen@kitteryschools.com)

Hi Karen,

This just needs to go on a Council agenda. Can you please respond and let her know it will be on the agenda for the March 25 meeting.

Thanks
Kendra

-----Original Message-----

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com>
Sent: Thursday, March 7, 2019 9:56 AM
To: Kendra Amaral <KAmaral@kitteryme.org>
Subject: [Kittery ME] "tag day" at the transfer station (Sent by Brenda Bladen, bbladen@kitteryschools.com)

Hello kamaral,

Brenda Bladen (bbladen@kitteryschools.com) has sent you a message via your contact form (<https://www.kitteryme.gov/user/28/contact>) at Kittery ME.

If you don't want to receive such e-mails, you can change your settings at <https://www.kitteryme.gov/user/28/edit>.

Message:

Hello,

* My name is Brenda Bladen and I'm the coordinator of Kittery School's Odyssey of the Mind. I am contacting you to see if we can ask for donations at the transfer station on Saturday May 4th.

Kittery OM fundraises actively in the spring months to earn money to send qualifying teams to the OM World Finals, which will take place in Michigan this year. While we are not yet certain that a team will earn a spot to compete at "worlds", I did want to submit a request early in case the spots fill up. Thank you very much for your consideration!

Sincerely,

Brenda Bladen

bbladen@kitteryschools.com

Karen Estee

From: Brenda Bladen <bbladen@kitteryschools.com>
Sent: Thursday, March 14, 2019 9:57 AM
To: Karen Estee
Subject: Re: Fundraiser

X I scheduled it for May 4th is that correct?

I think we would tag from 9 am to 4 pm and there would be 8 to 12 students participating, but probably only 4 or 5 at a time with 1 or 2 adults.

Brenda Bladen, RN
Shapleigh School
phone 207-439-5866
fax 207-439-9958

On Thu, Mar 14, 2019 at 7:45 AM Karen Estee <KEstee@kitteryme.org> wrote:

Hi Brenda,

I am in receipt of your request however, I will need some details in writing from you before I can add your request to the next Town Council agenda.

I will need the times from when to when and who will be attending.

If you could get that information to me as soon as possible, I can then add it to the agenda.

Thank you and have a great day!!

Karen

Karen Estee

Interim Town Clerk/General Assistance Administrator

Town of Kittery

Kittery Little League
PO BOX 884
Kittery, ME 03904
Klltreasurer10@gmail.com

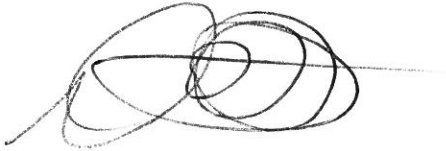
March 14, 2019

To the members of the Kittery Town Council:

Kittery Little League is requesting permission to hold a fundraiser at the Kittery Resource Recovery Facility on Saturday, May 18, 2019 from 9 – 3 in conjunction with our Tag Day. We utilized the Kittery Resource Recovery Facility for this fundraiser in the past with great success. Tag Day is an annual fundraising event for the Kittery Little League where teams go to various locations across town soliciting donations.

Kittery Little League is a non-profit organization dedicated to teaching the values of sportsmanship and the skills of baseball to the town's youths. As a non-profit we rely on donations, fundraising, and registration fees to fund our program. We place an emphasis on donations and fundraising to keep registration costs low and affordable.

Thank you for your time.

A handwritten signature in black ink, appearing to read "David Evans", with a long horizontal line extending to the right.

David Evans, MPA
Treasurer
Kittery Little League



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

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

REPORT TO TOWN COUNCIL

Meeting Date: March 25, 2019
From: Kendra Amaral, Town Manager
Subject: Release Deed Map 60 Lot 24
Councilor Sponsor: Chairperson Judy Spiller

EXECUTIVE SUMMARY

The Town Council is being requested to execute a Release Deed for Map 60 Lot 24, 459 US Route 1 in order to resolve outstanding liens so the property may be sold. A municipal release deed is required because 18 months has passed since the notice of liens.

BACKGROUND

The property is scheduled for resale on March 25. The property was foreclosed on for nonpayment of taxes in multiple years. Total property taxes and interest due are \$66,653.90, total personal property tax due is \$10,410.91.

Payment will be due prior to recording of the Release Deed.

PROPOSED SOLUTION/RECOMMENDATION

Approve the Release Deed as presented.

MUNICIPAL RELEASE DEED

The TOWN OF KITTERY (the 'Town'), a municipal corporation existing under the laws of the State of Maine and located in the County of York, State of Maine, releases to
DSS LAND HOLDINGS LLC

with a mailing address of PO BOX 242, YORK, MAINE 03909

any interest the Town may have in a certain lot or parcel of land with any improvements located thereon, located in the Town of Kittery, County of York and State of Maine, now or formerly owned by DSS LAND HOLDINGS LLC and recorded in the

York County Registry of Deeds in Book / Page 7784 / 66 and further shown as Map / Lot 60-24 on the Town of Kittery Assessor's Tax Maps, as may have been acquired by the Town by virtue of any of the following Tax Lien Certificates on record in said Registry of Deeds:

1. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 16877 Page 194
2. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 17094 Page 946
3. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 17298 Page 933
4. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 17545 Page 286
5. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 17789 Page 130
6. Tax Lien Certificate regarding real estate taxes recorded in the York County Registry of Deeds: Book 15301 Page 747

The sole purpose of this Municipal Release Deed is to release to the Grantee herein any interest which the Town may have acquired in the property described by virtue of delinquent taxes through and including the current taxes due.

IN WITNESS WHEREOF, the Town of Kittery, acting through its municipal officers, has caused this Municipal Release Deed to be signed.

DATE: _____

TOWN OF KITTERY

WITNESS

By _____

JUDY SPILLER

MATT BROCK

CHARLES DENAULT

JEFFREY D. THOMSON

KENNETH LEMONT

JEFFREY PELLETIER

CYRUS CLARK

STATE OF MAINE
YORK, ss.

Personally appeared the above named Municipal Officers and acknowledged the foregoing instrument to be their free act and deed in said capacity and the free act and deed of the Town of Kittery, Maine.

Before me,

Print Name: Karen Estee
Notary Public
My commission expires August 4, 2023