

Kittery Town Council APPROVED Minutes

December 9, 2019

Regular Meeting

Town Hall - Council Chambers

1. Call to Order

2. Introductory

3. Pledge of Allegiance

4. Roll Call

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

5. Agenda Amendment and Adoption

Adopted Item h. under New Business - Renewal Victualers application Maine Beer Café.

Replaced 7. Acceptance of Previous Minutes with 8. Audit Presentation

Amended items under New business d. & e.

Moved Executive Session to 15., and moved Committees and other reports to 16.

Chair Spiller cast one vote for agenda adoption and amendments.

6. Town Manager's Report

The Town Manager reported on: 2020 calendar goals for Council and Manager, TIF overview, Legion Pond, banners, Martin Road speeding, and holiday hours.

Upcoming Dates: Holiday Toy Drive/w Kittery Police and Fire – December 14, 9AM – 11AM, Kate's Bakery, Breakfast with Santa – December 21, 8:30AM, Kittery Community Center, Dog License Renewal Deadline – January 31, Town Hall, and Town Hall Closes at 1PM – December 24 and December 31.

7. All items involving the town attorney, town engineers, town employees or other town consultants or requested offices.

a. (120119-2) The Kittery Town Council moves to receive the Audit Presentation.

Christina Howell from RHR Smith & Company, certified public accountants presented the Audit Presentation.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

8. Interviews for the Board of Appeals and Planning Board

a. (120119-1) The Kittery Town Council moves to interview the following Planning Boards Members for reappointment for all terms to expire 12/31/2022. The applicants are as follows.

- Stephen Bellantone
- Ronald Ledgett
- Drew Fitch

Interviews for Mr. Bellantone and Mr. Fitch were postponed until the January meeting.

Mr. Ledgett spoke about being a member on the Planning Board.

Moved by Councilor Thomson, seconded by Councilor Pelletier

Councilor Pelletier, Councilor Thomson, Councilor Clark, Councilor Lemont, and Chair Spiller voted yes.

Councilor Denault voted no.

Motion Carried, 5 were in favor, 1 opposed.

9. PUBLIC HEARINGS

a. (120119-3) The Kittery Town Council moves to hold a public hearing on Title 10 – Badger’s Island Parking.

Chair Spiller read a letter from Cynthia Otton, 7 Woodlawn Avenue, Kittery.

The Town Manager gave an overview of the purposed title revision.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

b. (120119-4) The Kittery Town Council moves to hold a public hearing on Title 10 – Pepperrell Road.

The Town Manager gave an overview of proposed title 10 revision.

Kelly Philbrook, 8 Pepperrell Terrace, Kittery - Ms. Philbrook asked for the Councilor’s support on Title 10 – Pepperrell Road.

Moved by Councilor Thomson, seconded by Councilor Denault.

Motion Carried 6-0-0

10. DISCUSSION

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

George Dow, 1 Bartlett Road Kittery – Mr. Dow asked if the Council spoke with the Chair of the Boards and Committees prior to reappointing a member.

- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

Chair Spiller stated she was notified from the Planning Board Chair that the reappointed members were excellent.

11. UNFINISHED BUSINESS - None

12. NEW BUSINESS

- a. Donations/gifts received for Council disposition - None
- b. (120119-5) The Kittery Town Council moves to approve the disbursement warrants.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

c. (120119-6) The Kittery Town Council moves to appoint Council representatives to meet with the Chairs of the respective Boards and Commissions to interview and re-appoint the following for terms to expire 12/31/2022.

- David Wrocklage – Parks Commission Expires
- Kristi Mathieson – KCC Board of Directors Expires
- Steven Workman – KCC Board of Directors Expires
- George Dow – Economic Development Committee Expires
- Stephen Kosacz – Economic Development Committee Expires
- Stephen Hall – Climate Adaptation Committee Expires
- A. David Mann – Board of Trustees of Trust Funds Expires
- Mary Thron – Board of Assessment Review
- Dan O'Reilly – Shellfish Conservation Committee
- Jeffrey Clifford – Capital Improvement Program

Moved by Councilor Thomson for approval, seconded by Councilor Pelletier.

Moved by Councilor Denault to split the question, seconded by Councilor Pelletier for discussion.

Councilor Denault thought each reappointment member should be voted in separately.

Councilor Denault withdrew his motion to split the question, Councilor Pelletier withdrew as well.

Jeffrey Pelletier, Jeffery Thomson, Kenneth Lemont, Cyrus Clark, and Chair Judith Spiller voted yes.

Councilor Denault voted no.

Motion Carried, 5 were in favor, 1 opposed.

d. (120119-7) The Kittery Town Council moves to change the appointment of Page Mead from Full Member of the Parks Commission to Associate Member of the Parks Commission for a term to expire 12/31/2022.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

e. (120119-8) The Kittery Town Council moves change the appointment of George Dow from Associate Member of the Parks Commission to a Full Member of the Parks Commission for a term to expire 12/31/2020.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

f. (120119-9) The Kittery Town Council moves to approve a renewal liquor license application for Robert's Maine Grill located at 326 US Route 1 Kittery.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

g. (120119-10) The Kittery Town Council moves to appoint a Council member to interview Alan Johnston for the Kittery Port Authority.

Chair Spiller moved to select Councilor Denault, seconded by Councilor Thomson.

Motion Carried 6-0-0

h. The Kittery Town Council moves to hold a public hearing for a Renewal Victualer's License application from Maine Beer Cafe located at 439 US Rte. 1 Kittery, Maine.

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Chair Spiller, Councilor Thomson, Councilor Pelletier, and Councilor Denault voted to approve.

Councilor Lemont abstain.

Motion Carried 5 voted to approve, 1 abstained.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Thomson asked the Town Manager if Maine DOT were going to revisit the speed situation on State Road, when they come for a workshop on September 9, 2019. Councilor Thomson asked if that had been done, or if it had been scheduled.

The Town Manager stated she had been following up Maine DOT.

Councilor Thomson wanted to thank the Department of Public Works for the excellent job they had done on the last snow storm.

15. EXECUTIVE SESSION –

The Town Council went into Executive session at 6:56 P.M.

Moved by Councilor Thomson, seconded by Councilor Denault.

Motion Carried 6-0-0

a. (120119-11) The Kittery Town Council moves to go into Executive Session with the Town Manager and members of the Board of Appeals in accordance with 1 M.R.S. §405 (6) (A) to discuss or consider complaints regarding appointees, where public discussion could be reasonably expected to cause damage to an individual's reputation or right to privacy.

Moved by Councilor Thomson to come out of Executive session at 7:39 P.M., seconded by Councilor Denault.

Motion Carried 6-0-0

16. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Spiller wished everyone Happy Holidays.

b. Committee Reports - None

17. ADJOURNMENT

Moved by Councilor Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

Submitted by Kim Tackett

Disclaimer: The following minutes constitute the author's understanding of the meeting.

Whilst every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but a summary of the discussion and actions that took place. For complete details, please refer to the video of the meeting on the Town of Kittery website.