

## KITTERY TOWN COUNCIL Approved Minutes

November 9, 2020

Remote Meeting

6:00 PM

### 1. Call to Order

### 2. Introductory

### 3. Pledge of Allegiance

### 4. Oath of Office to Newly Elected Officials

The Council thanked Councilor Brock for his many years of serving on the Town Council.

Town Clerk. Karen Estee swore in Kenneth Lemont, and George Dow as newly elected Town Council members.

### 5. Roll Call

Councilors present: Charles Denault, Jeffrey Pelletier, Jeffrey Thomson, Kenneth Lemont, George Dow, Cyrus Clark and Judith Spiller.

### 6. The Kittery Town Council moves to elect a Chairperson for the ensuing year.

Councilor Lemont nominated Councilor Thomson as Chair, seconded by Councilor Denault.

Councilor Denault, Councilor Pelletier, Councilor Lemont, Councilor Spiller, Councilor Clark, and Councilor Dow voted for Councilor Thomson as Chair for the Town Council.

Councilor Thomson abstained.

Motion Carried 6-0-1

### 7. The Kittery Town Council moves to elect a Vice Chairperson for the ensuing year.

Councilor Denault nominated Councilor Lemont as Vice Chair, seconded by Councilor Clark.

Councilor Denault, Councilor Pelletier, Councilor Thomson, Councilor Spiller, Councilor Clark, and Councilor Dow voted for Councilor Lemont as Vice Chair for Town Council.

Councilor Lemont abstained.

Motion Carried 6-0-1

### 8. Agenda Amendment and Adoption

Chair Thomson moved to accept the agenda as presented, seconded by Councilor Spiller.

Motion Carried 7-0-0

#### 9. Town Manager's Report

The Town Manager reported on: Election, Legion Pond, out of state registrations, adult entertainment, 2020 annual goals Q3 update.

Upcoming dates: Town offices closed for Veterans day – November 11, Town offices closed for Thanksgiving – November 26, Letters to Santa – December 1-16, Kittery Community Center, Gingerbread house decorating (take home) – December 8, Kittery Community Center, and Dog registration deadline – January 31, Town Hall.

#### 10. Acceptance of Previous Minutes - None

#### 11. Interviews for the Board of Appeals and Planning Board

a. (110120-1) The Kittery Town Council moves to interview the following candidates for two (2) vacancies on the Board of Appeals for appointment of all terms to expire 12/31/2023. The applicants are as follows:

- Robert Kaszynski
- Frederick Nohmer
- Cameron Hamm
- Robert Gray

Robert Kaszynski did not attend the meeting, but the Council decided to give him the opportunity to attend the 11/23/2020 Council meeting where he would be considered for the Board of Appeals.

The Council interviewed candidates Frederick Nohmer, Cameron Hamm, and Robert Gray and asked about their interest in wanting to be on the Board of Appeals, if they were committed to attending the meetings, know the responsibilities of this position, and would show the citizens of Kittery and the Town staff respect. The candidates stated they were willing to accept the responsibilities.

The Council decided to only appoint one position at this meeting, due to the absence of Robert Kaszynski.

Councilor Denault nominated Robert Gray, seconded by Vice Chair Lemont.

Councilor Dow nominated Frederick Nohmer, seconded by Councilor Spiller

Councilor Denault, Councilor Spiller, Councilor Clark, Councilor Pelletier, Councilor Dow, Vice Chair Lemont, Chair Thomson voted for Frederick Nohmer.

Motion Carried 7-0-0

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

### 13. PUBLIC HEARINGS

a. (110120-2) The Kittery Town Council moves to hold a public hearing on a new Liquor License application for Inizia LLC, for AJ's Woodfired Pizza, 68 Wallingford Square, Kittery.

Moved by Councilor Pelletier, seconded by Councilor Spiller.

Motion Carried 7-0-0

b. (110120-3) The Kittery Town Council moves to hold a public hearing on a new Victualer's License for Inizia LLC, for AJ's Woodfired Pizza, 68 Wallingford Square, Kittery.

Moved by Councilor Pelletier, seconded by Councilor Spiller.

Motion Carried 7-0-0

c. (110120-4) The Kittery Town Council moves to hold a public hearing on a new Victualer's License for Scott Choppa of 580 US 1 Bypass, Portsmouth NH, for Sunny's Food Truck, located at Kittery Trading Post lot 301 US 1, Kittery.

Moved by Councilor Pelletier, seconded by Councilor Dow.

Motion Carried 7-0-0

### 14. DISCUSSION

a. The public may submit public comment in writing or raise their hand in the webinar for the DISCUSSION agenda

b. Chairperson may read written comments into the public record

Chair Thomson stated that a petition was received with 13 signatures for John Paul Jones Park, requesting the park be returned to the gateway and the center of Kittery as it once was. The petition was signed due to the traffic and the noise surrounding the park, and the residents were asking the Council for a resolution.

Chair Thomson read an email from Jonel Leake, 9 Chauncey Creek Road, Kittery Point, ME. – Ms. Leake expressed concerns about the customer service employees at the Town Hall not wearing masks.

c. Chairperson's response to public comments

The Town Manager responded to Ms. Leake's concerns by stating the Town follows the CDC guidelines and the States' Executive order. The Town Manager added that new plexi-glass barriers had been installed to give more protection.

Councilor Clark mentioned the online services that are offered on the Town's website as a good option for anyone who has a health concern.

The Council and the Town Manager discussed different options to address the traffic concerns surrounding John Paul Jones Park.

## **15. UNFINISHED BUSINESS**

## **16. NEW BUSINESS**

a. Donations/gifts received for Council disposition.

b. (110120-5) The Kittery Town Council moves to discuss Council Rules for the ensuing year.

The Town Council discussed the Council Rules for the ensuing year.

c. (110120-6) The Kittery Town Council moves to discuss appointments of Council members to standing and ad hoc committees.

## **Capital Improvement Committee**

Charles Denault

## **Climate Adaptation Committee**

Judith Spiller

Kenneth Lemont

## **Comprehensive Plan Implementation Committee**

Council Chairperson - Jeffrey Thomson

Council Vice Chair - Kenneth Lemont

## **Economic Development Committee**

George Dow

## **Education Scholarship Selection Committee**

Charles Denault

Jeffrey Pelletier

## **Kittery Community Center Board of Directors**

Jeffrey Pelletier (Until 3/31/21)

**Trustees of Trust Funds**

Chairperson - Jeffrey Thomson

**Kittery Land Issues Committee**

Judith Spiller

**Disbursement Warrant for Town Employee Wages (Primary, Secondary, Tertiary)**

Jeffrey Thomson

Cyrus Clark

Jeffrey Pelletier

**Disbursement Warrant for Town Expenses (Primary, Secondary, Tertiary)**

Cyrus Clark

Charles Denault

Kenneth Lemont

**School Warrant for General Disbursements (Primary, Secondary, Tertiary)**

Jeffrey Pelletier

Jeffrey Thomson

Cyrus Clark

**Taylor Building Committee**

Former Councilor Matt Brock - Serving as Council Rep

Jeffrey Thomson

**Library Building Committee**

Charles Denault

Jeffrey Pelletier

**Celebration Committee**

Jeffery Thomson

**Library Advisory Board**

Judy Spiller

**Housing Committee**

Former Councilor Matt Brock - Serving as Council Rep

d. (110120-7) The Kittery Town Council moves to schedule a public hearing on amendments to Title 10 Love Lane One Way on November 23, 2020.

The Town Manager gave an update on Title 10 Love Lane One Way.

Moved by Councilor Spiller, seconded by Councilor Pelletier.

Motion Carried 7-0-0

e. (110120-8) The Kittery Town Council moves to approve the Memorandum of Understanding for Mutual Aid Assistance for Police and authorize the Town Manager to sign on the Council's behalf.

The Town Manager gave an overview of the Memorandum of Understanding for Mutual Aid Assistance for Police and authorize the Town Manager to sign on the Council's behalf.

Moved by Councilor Denault, seconded by Councilor Pelletier.

Motion Carried 7-0-0

f. (110120-9) The Kittery Town Council moves to appoint a Council Representative to meet with the Chair of the Climate Adaptation Committee to interview David Gibson for a term to expire 12/31/2023.

Chair Thomson moved for Councilor Spiller to meet with the Chair of the Climate Adaptation Committee to interview David Gibson, seconded by Councilor Denault.

Motion Carried 7-0-0

## 17. COUNCILOR ISSUES OR COMMENTS

Councilor Denault congratulated Chair Thomson and Vice Chair Lemont, and thanked Councilor Spiller for being the Chair for the last two years. Councilor Denault also mentioned getting a left green arrow at Walker Street and Government Street that will allow citizens to break the traffic coming out of the base.

Councilor Dow wanted to thank those residents who voted for him and expressed that he looks forward to serving. Councilor Dow asked if it would be possible to put some of the health and wellness hotlines on channel 22 for those who may be struggling.

Councilor Pelletier wanted to thank Councilor Spiller for being a great leader the past two years. Councilor Pelletier thanked Councilor Spiller for serving as Chair for the past two years, and congratulated the Town Manager and Town Clerk for the success of the election. Councilor Pelletier also congratulated Chair Thomson and Vice Chair Lemont, and welcomed Councilor Dow to the Town Council.

Councilor Spiller welcomed Chair Thomson and Vice Chair Lemont to the leadership role of the Town Council and welcomed back Councilor Dow.

Councilor Clark wanted to congratulate Councilor Dow and Councilor Lemont on being elected to the Town Council.

Vice Chair Lemont thanked Councilor Spiller for her leadership role the past two years, and thanked Chair Thomson for taking the leadership role in the coming year. Vice Chair Lemont also thanked the voters for re-electing him, and welcomed Councilor Dow. Vice Chair Lemont asked the Town Manager if she would give the Council an inventory of the properties the Town owns.

## 18. COMMITTEE AND OTHER REPORTS

### a. Communications from the Chairperson

Chair Thomson reported on the number of new COVID-19 cases that were reported.

Chair Thomson wanted to learn more about what makes the community function, understanding the municipal budget process.

### b. Committee Reports

## 19. EXECUTIVE SESSION

a. (110120-10) The Kittery Town Council moves to go into Executive Session pursuant to 1 MRS 405(6)(C) and (E) to consult with the Town Attorney to discuss a Credit Enhancement Agreement for 76 Dennett Road, where premature disclosures of the information would prejudice the bargaining position of the Council.

Chair Thomson moved to go into Executive Session at 7:47 p.m., seconded by Councilor Pelletier.

Motion Carried 7-0-0

Chair Thomson moved to come out of Executive Session at 8:05 p.m., seconded by Councilor Pelletier.

Motion Carried 7-0-0

## 20. ADJOURNMENT

Councilor Pelletier moved to adjourn at 8:06 p.m., seconded by Councilor Spiller.

Motion Carried 7-0-0

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.