

KITTERY TOWN COUNCIL Approved Minutes

November 23, 2020

Remote Meeting

6:00PM

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call

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

5. Agenda Amendment and Adoption

Chair Thomson moved to amend the agenda and postpone the approval of the June 8, 2020 and June 15, 2020 minutes, seconded by Councilor Spiller.

Motion Carried 6-0-0

6. Town Manager's Report

The Town Manager reported on: Holiday parade and events, Fort Foster/Pocahontas parking, and Thanksgiving.

Upcoming Dates: Town Offices Closed for Thanksgiving – November 26 and November 27, 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.

7. Acceptance of Previous Minutes

- June 8, 2020 - Postponed
- June 15, 2020 – Postponed

8. Interviews for the Board of Appeals and Planning Board

a. (110220-1) The Kittery Town Council moves to interview the following candidates for one (1) vacancy on the Board of Appeals for appointment of all terms to expire 12/31/2023. The applicants are as follows:

Robert Kaszynski - Due to the two absences of Mr. Kaszynski, the Council decided to move forward with another appointment to the Board of Appeals.

Cameron Hamm (interviewed on 11-9-2020) - Councilor Spiller moved to approve Cameron Hamm's appointment to the Board of Appeals, seconded by Councilor Dow.

Motion Carried 6-0-0

Robert Gray (interviewed on 11-9-2020) – No action taken

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

10. PUBLIC HEARINGS

a. (110220-2) The Kittery Town Council moves to hold a public hearing on Title 10 Love Lane One Way.

The Town Manager gave an overview of updated information regarding the Love Lane One Way.

Nate Hios, 48 Love Lane Kittery, ME – Mr. Hios spoke on behalf of his partitioners at the Church of Christ in opposition of Love Lane being one way.

Michael O'Keefe, 43 Love Lane Kittery, ME – Mr. O'Keefe spoke in approval of Love Lane being one way.

Marcy and Glen Philbrook, 38 Love Lane, Kittery, ME – The Philbrooks spoke in approval of Love Lane being one way.

Emily Bailey, 25 Love Lane, Kittery, ME – Ms. Bailey expressed her approval of turning Love Lane into a one-way street.

Terry Enis, 46 Love Lane, Kittery, ME – Ms. Enis stated her family's quality of life has improved since changing Love Lane into a one-way street.

Joseph Watts, 27 Love Lane, Kittery, ME – Mr. Watts stated he was in favor of the change on Love Lane.

Russell Plante, 14 Lyndon Way, Kittery, ME – Mr. Plante wrote that he was opposed to the changes of Love Lane.

Chair Thomson stated there were 27 emails approving the changes to Love Lane and 3 emails opposing the changes to Love Lane, stating the road should only be one-way from 4 a.m. to 7a.m. Chair Thomson noted there were also a few emails expressing concern with the increased traffic to the roads surrounding Love Lane.

Councilor Dow moved to approve Title 10 Love Lane One Way, seconded by Councilor Lemont.

Councilor Spiller expressed her concern for individuals walking on Love Lane during the winter, and asked the Town Manager if there were any plans for this.

The Town Manager responded by stating the Town would work on striping, bollards, and pedestrian lanes. The Town Manager also said if this were to become a permanent one-way, the Town would look into doing a sidewalk project.

Motion Carried 6-0-0

11. DISCUSSION

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

Nate Hios, 48 Love Lane, Kittery, ME – Mr. Hios stated he respects the Council's decision on Love Lane and asked if the Town could install directional signs for directions to the Church.

Marcy and Glen Philbrook, 38 Love Lane, Kittery, ME – Ms. Philbrook thanked the Council for their decision on Love Lane.

b. Chairperson will read written comments into the record.

Kate Hartwig, Kittery ME – Ms. Hartwig expressed her approval of not selling passes at the Fort Foster gate.

Shaye Robbins, 24 Heron Point Lane, Kittery Point, ME - Ms. Robbins wanted to recognize the improvements made at Fort Foster during the pandemic.

c. Chairperson's response to public comments.

Chair Thomson responded to Ms. Hartwig and stated that he's hoping 2021 will be a better year. Chair Thomson also commented that the Town's online services have been very helpful through the pandemic.

Chair Thomson responded to Ms. Robbins and stated that a number of her comments were addressed or were going to be addressed in this meeting concerning the parking issues at Fort Foster, and dogs at Fort Foster.

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition - None

b. (110220-3) The Kittery Town Council moves to approve the Standing Committee Appointments.

Chair Thomson stated that the only change to the Standing Committee Appointments was Vice Chair Lemont is now on the Kittery Climate Adaptation Committee.

Councilor Spiller moved to accept the Standing Committee Appointments, seconded by Councilor Dow.

Motion Carried 6-0-0

c. (110120-4) The Kittery Town Council moves to approve Council Rules.

Moved by Councilor Spiller, seconded by Councilor Pelletier.

Motion Carried 6-0-0

d. (110220-5) The Kittery Town Council moves to appoint the Animal Control Working Group.

Chair Judith Spiller

David Wrocklage

Dianne Miller

Christopher Grimms

Mary Thron

Michael Johns

Ryan Bailey

Sally Soule

Moved by Chair Thomson, seconded by Councilor Pelletier.

Motion Carried 6-0-0

e. (110220-6) The Kittery Town Council moves to approve a Credit Enhancement Agreement for 76 Dennett Road and orders the Town Manager to execute the Credit Enhancement Agreement on behalf of the Town of Kittery.

The Town Manager gave an overview of the Credit Enhancement Agreement for 76 Dennett Road.

Councilor Dow moved to approve the Credit Enhancement Agreement for 76 Dennett Road, seconded by Councilor Spiller.

Motion Carried 6-0-0

f. (110220-7) The Kittery Town Council moves to approve a renewal Liquor License application from The Black Birch located at 2 Government Street, Kittery.

Moved by Councilor Denault, seconded by Councilor Spiller.

Motion Carried 6-0-0

g. (110220-8) The Kittery Town Council moves to adopt a Resolution Authorizing Redemption of the Town's 2010 Bonds and the Issuance of Refunding Bonds in Principal Amount not to Exceed \$3,960,000 and that an attested copy of said

Resolution be included with the meeting minutes.

The Town Manager gave an overview of the Resolution Authorizing Redemption of the Town's 2010 Bonds and the Issuance of Refunding Bonds.

Councilor Dow moved to adopt, seconded by Councilor Pelletier.

Motion Carried 6-0-0

h. (110220-9) The Kittery Town Council moves to schedule a Public Hearing on December 14, 2020 on Title – 2 Administrative Code – Paid Time Off.

The Town Manager gave an overview on Title – 2 Administrative Code – Paid Time Off.

Chair Thomson moved to schedule a Public Hearing on December 14, 2020, seconded by Councilor Spiller.

Motion Carried 6-0-0

i. (110220-10) The Kittery Town Council moves to approve the appointment of David Gibson to the Kittery Climate Adaptation Committee for a three-year term to expire 12/31/2023.

Moved by Councilor Spiller, seconded by Councilor Pelletier.

Motion Carried 6-0-0

j. (110220-11) The Kittery Town Council moves to authorize the Town Manager to close departments with the exception of essential personnel, the day after Thanksgiving, November 27, 2020, with the understanding that employees will use their personal accumulated time.

Moved by Councilor Spiller, seconded by Councilor Dow.

Motion Carried 6-0-0

k. (1101220-12) The Kittery Town Council moves to appoint a Councilor to interview Wanda Dorlean along with Chair, Bob Guay for an appointment to the KCC Board of Directors for a three-year term to expire 12/31/2023.

Chair Thomson moved to appoint Councilor Denault, seconded by Councilor Dow.

Motion Carried 6-0-0

l. (110220-13) The Kittery Town Council moves to appoint a to interview Gerry Luke along with Chair, Bob Guay for an appointment to the KCC Board of Directors for a three-year term to expire 12/31/2023.

Chair Thomson moved to appoint Vice Chair Lemont, seconded by Councilor Pelletier.

Motion Carried 6-0-0

m. (110220-14) The Kittery moves to appoint a Councilor to interview Rose Eppard along with Chair, Bob Guay for an appointment to the KCC Board of Directors for three-year term to expire 12/31/2023.

Chair Thomson moved to appoint Councilor Pelletier, seconded by Councilor Dow.

Motion Carried 6-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor Denault inquired about installing a left turning traffic light in the Foreside's Wallingford Square by the Shipyard main gates, so the public could turn left safely due to the traffic from the Shipyard.

Councilor Spiller received a complaint about the flag signs on Rte. 1 by Dunkin Donuts and she stated that it is a violation of the sign ordinance.

Councilor Dow asked if the Town still had a cable review board, and Chair Thomson responded no. Councilor Dow also wanted to thank the Council for allowing him to include an article in the FY packet it was on Social Justice is the best way to realize through a Council Manager form of Government.

Vice Chair Lemont asked about clamming at Spruce Creek and Brave Boat Harbor and stated it has been held up for three years and was only supposed to take two years for the upgrade for the Sewer Treatment Plant at Pierce Island. Vice Chair Lemont asked if the Town Manager had been able to check on the status. Vice Chair Lemont mentioned he could reach out to Marine Resources. The Town Manager stated it would be one year after the plant was fully operational. Vice Chair Lemont asked about Town-owned property, and if the Council was comfortable with the Town Manager looking into it. Vice Chair Lemont also mentioned that he had a complaint regarding the grass at Memorial Circle and wondered if there was a plan to take care of it due to safety issues. Lastly, Vice Chair Lemont spoke about extending the season at Fort Foster.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Thomson stated that he was spoke prematurely at the last meeting in mentioning the Budgeting 101 Workshop, stating the Town Manager would be busy with the Library Bond and the workshop would be February 1, 2021. Lastly, he commented about this Thanksgiving being the toughest since the 2nd World War for the citizens, due to COVID-19.

b. Committee Reports

Councilor Dow reported on the EDC meeting.

Councilor Spiller reported on the York River Study Committee.

16. EXECUTIVE SESSION

a. (110220-15) The Kittery Town Council moves to enter into Executive Session with the Town Attorney in accordance with MRS Title 1 §405(6)(E) to consult on legal rights and duties of the Town Council where premature general public knowledge would clearly place the Town at a substantial disadvantage.

Chair Thomson moved to go into Executive Session at 7:48 p.m., seconded by Councilor Spiller.

Motion Carried 6-0-0

Chair Thomson moved to come out of Executive Session at 8:19 p.m., seconded by Councilor Pelletier

Motion Carried 6-0-0

17. ADJOURNMENT

Councilor Dow moved to adjourn at 8:19 p.m., 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.