

## KITTERY TOWN COUNCIL Approved Minutes

May 24, 2021 Council Chambers

6:00PM

### 1. Call to Order

Chair Thomson called meeting to order at 5:59 p.m.

### 2. Introductory

### 3. Pledge of Allegiance

### 4. Roll Call

Councilors present: Chair Jeffrey Thomson, Jeffrey Pelletier, George Dow, Vice Chair pro tempore Judith Spiller. Councilor absent: Cyrus Clark.

### 5. Agenda Amendment and Adoption

Under 10. PUBLIC HEARINGS item a. Sec. 6.06 subsection (3) corrected to Sec. 6.06 subsection (1).

Chair Thomson cast one vote for the agenda as amended.

### 6. Town Manager's Report

The Town Manager reported: Maine COVID-19 guidelines, Marijuana Ordinance, Memorial Day ceremony, Urban Land Institute (JLUS), June 8, 2021 Election, School Budget Validation, Town Articles and the Promotion of Charlie Morrow.

Upcoming Dates: The Town Hall will be closed for Memorial Day, May 31, 2021, Memorial Day Ceremony will be on May 31, 2021 at 9AM, at the Orchard Grove Cemetery. Property taxes are due June 1, 2021, the KEEP property tax payment applications are due, June 1, 2021 and are available at the Town Hall and online, voter registration night is June 2, 2021 from 6PM – 7PM, at the Kittery Town Hall. The Town Meeting, School Budget Referendum and Council Election is June 8, 2021 from 8AM – 8PM, at the Kittery Community Center gymnasium, the senior tax credit applications are due July 1, 2021 and are available at the Town Hall and online.

### 7. Acceptance of Previous Minutes

May 10, 2021 Regular Meeting

Chair Thomson cast one vote to accept the May 10, 2021 minutes as presented.

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

a. (050321-1) The Kittery Town Council moves to interview the following candidates

for one (1) vacancy on the Board of Appeals for a term to expire December 31, 2023. The applicants are as follows: Amelia Burke.

Chair Thomson asked Amelia Burks four interview questions.

Chair Thomson moved to appoint Amelia Burke to the Board of Appeals for a term to expire December 31, 2023, seconded by Councilor Dow.

Motion Carried 4-0-0

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

a. (050321-2) The Kittery Town Council moves to receive the Educational Recycling Scholarship recipients' presentation. Councilor Dow and the former Educational Recycling Scholarship Chair, Jeff Brake presented \$1000.00 scholarships to Jared Johnson, Lilly Kemp, Emma Ackerman, Rachel Jones, Olivia Kallay, Mary Lombardi, and Eliza Pereira.

## 10. PUBLIC HEARINGS

a. (050321-3) The Kittery Town Council moves to hold a public hearing in accordance with Sec. 6.06 subsection (1) of the Kittery Town Charter and hereby ordains and adopts the 2021-2022 Municipal and Enterprise Fund Budget.

Chair Thomson moved with the authority vested in this body by section 6.06 subsection (3) of the Kittery Town Charter, the Kittery Town Council hereby appropriates the sum of \$15,809,670.00 for Municipal operations for Fiscal year commencing July 1, 2021, seconded by Councilor Dow.

Motion Carried 4-0-0

Chair Thomson endorses the sum of \$ 2,520,738.00 for the Sewer Enterprise fund budget for Fiscal year 2022, seconded by Vice Chair pro tempore Spiller.

Motion Carried 4-0-0

b. (050321-4) The Kittery Town Council moves to hold a public hearing to authorize the Town Manager to enter into a lease agreement for copiers and plotters. The Town Manager gave an overview of the lease agreement for copiers and plotters.

Councilor Dow moved in accordance with Title 30-A MRS §3001, and Town Charter §§2.14 and 6.11(3), the Town of Kittery hereby ordains approval for the Town Manager to execute a five-year Lease agreement for the Towns copiers, printers, and plotters, seconded by Vice Chair pro tempore Spiller.

Motion Carried 4-0-0

c. (050321-5) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Amelia Jule, 3 Collinsport Way, York, Maine, for Everyday Boost mobile food unit.

Moved by Vice Chair pro tempore Spiller, seconded by Councilor Dow.

Motion Carried 4-0-0

## 11. DISCUSSION

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

Kelly Philbrook, 8 Pepperrell Terrace, Kittery Point, Maine, wanted to thank Police officers, John Desardins, Michael Webster, Connor Grogan, Brian Cummer, and the Kittery Police dispatch for the incredible and compassionate job they did responding to a very difficult call on May 9, 2021.

b. Chairperson may read written comments into the record.

Gary Silver, 67 Tower Road, Kittery Point, Maine submitted an email asking why fireworks were legal in Maine and expressed his concerns.

Chair Thomson stated the Town of Kittery had at one time discussed prohibiting fireworks, and it didn't go over to well.

Christie Salema, 18 Debra Lane, Kittery, Maine submitted an email asking to please keep fires available at Seapoint for residents.

Chair Thomson stated only allowing residents to have fires at Seapoint Beach would be very difficult.

Chris Perkins, 28 Leach Road, Kittery, Maine submitted an email in regards to May 24, 2021 agenda item 13.d. and his concerns relative to Title 12 and Fires at Seapoint and Crescent Beaches.

Chair Thomson stated there is a variety of ways this could be approached and Chair Thomson said he is sure there will be plenty of discussions.

c. Chairperson's response to public comments.

## 12. UNFINISHED BUSINESS

## 13. NEW BUSINESS

a. Donations/gifts received for Council disposition.

(050321-6) The Kittery Town Council moves to accept a donation in the amount of \$22,500, to be deposited into account #4060-43602.

Vice Chair pro tempore Spiller moved to accept with thanks, seconded by Councilor Dow.

Motion Carried 4-0-0

b. (050321-7) The Kittery Town Council moves to approve an Amusement Device License application from Delta Amusement, 3 Tobey Street Hampton, NH for Navy Yard Bar & Billiard located at 182 State Road, Kittery.

Moved by Vice Chair pro tempore Spiller, seconded by Councilor Dow.

Motion Carried 4-0-0

c. (050321-8) The Kittery Town Council moves to approve the annual renewal of the Victualer's License applications for 2021.

Moved by Chair Thomson, seconded by Vice Chair pro tempore Spiller.

Motion Carried 4-0-0

d. (050321-9) The Kittery Town Council moves to schedule a public hearing on June 7, 2021 for Title-12, Prohibition of Fires at Seapoint & Crescent Beaches.

Moved by Vice Chair pro tempore Spiller to schedule a public hearing on June 7, 2021, seconded by Councilor Dow.

Motion Carried 4-0-0

e. (050321-10) The Kittery Town Council moves to appoint a Councilor to interview Erin Kempster along with the Chair, Todd Rollins of the Shellfish Conservation Committee for a 3-year term to expire 12/31/2024.

Chair Thomson moved to appoint Vice Chair pro tempore Spiller, seconded by Councilor Dow.

Motion Carried 4-0-0

f. (050321-11) The Kittery Town Council moves to approve a sign request from the Kittery Community Market for their 2021 season.

Moved by Councilor Dow, seconded by Vice Chair pro tempore Spiller.

Motion Carried 4-0-0

g. (050321-12) The Kittery Town Council moves to accept the resignation of Brian Kilroy from the Kittery Community Center Board of Directors.

Chair Thomson moved to accept the resignation with gratitude, seconded by Councilor Dow.

Motion Carried 4-0-0

h. (050321-13) The Kittery Town Council moves to approve a Release Deed for 475 Haley Road Unit #3, Kittery, Maine.

The Town Manager gave an overview of the circumstances surrounding 475 Haley Road Unit #3, Kittery, Maine.

Chair Thomson moved for the Release Deed for 475 Haley Road Unit #3, Kittery, Maine be granted, seconded by Vice Chair pro tempore Spiller.

Motion Carried 4-0-0

#### 14. COUNCILOR ISSUES OR COMMENTS

Councilor Dow – None

Councilor Pelletier – None

Vice Chair pro tempore Spiller stated she received an email from a resident about a rooster making a disturbance during all hours of the night.

Chair Thomson stated there will a Special meeting for the Warrant articles, June 7, 2021 at 6 p.m., and scheduling a public hearing on Marijuana. Chair Thomson also mentioned the June 8, 2021 elections at the Kittery Community Center.

#### 15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson - None

b. Committee Reports - None

#### 16. EXECUTIVE SESSION - None

#### 17. ADJOURNMENT

Vice Chair pro tempore Spiller moved to adjourn at 6:50 p.m., seconded by Councilor Dow.

Motion Carried 4-0-0

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.