

KITTERY TOWN COUNCIL Approved Minutes

December 13, 2021, Council Chambers

6:00PM

1. Call to Order

Chair Spiller called the meeting to order at 6 p.m.

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilors present: Chair Judith Spiller, Vice Chair George Dow, Jeffrey Pelletier, Cameron Hamm, Cyrus Clark, and Mary Gibbons Stevens. Councilor present remotely: Colin McGuire

5. Agenda Amendment and Adoption

Chair Spiller amended the agenda by removing 16. EXECUTIVE SESSION item a. (120221-20) The Kittery Town Council motions to go into Executive Session with the Town Manager, pursuant to 1 MRS §405 (6) (D) to Discuss labor negotiations.

Chair Spiller cast one vote for the agenda as amended.

6. Town Manager's Report

The Town Manager reported on: COVID Update, Kittery Fire Department is hosting a booster vaccination clinic on December 15, 2021 8AM to 12PM, New York Times Report – Woman on the Bridge, PFAS Identified in KRRF Test Wells, Town and Library Websites, Fort Foster Signage, Safety Works Workplace Safety Inspections, Upcoming Dates: Dog license renewals for 2022 are available at Town Hall and online www.kitteryme.gov, Lunch & Learn with the Town Manager is on December 16, 2021 11:30AM, at the Kittery Community Center, Santa Ride-Around – December 18, 2021, 2PM, for the map and details please visit www.kitteryme.gov, the Town Hall will be closed for the Christmas Holiday on Thursday, December 23, 2021, and the Town Hall will be closed for the New Year's Day Holiday on Thursday, December 30, 2021.

7. Acceptance of Previous Minutes

- November 8, 2021 - Regular Meeting
- November 22, 2021 – Regular Meeting

Chair Spiller cast one vote to approve the minutes from November 8, and November 22, 2021 as presented.

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

- a. (120221-1) The Kittery Town Council moves to interview and reappoint Leroy (Dutch) Dunkelberger to the Planning Board for a three-year term to expire 12/31/2024.

Chair Spiller asked Mr. Dunkelberger why he would like to be re-appointed to the Planning Board.

Mr. Dunkelberger explained to the Council the reasons for wanting to be re-appointed to the Planning Board, he stated he enjoys the board, he also feels the board has made great progress, and has provided a great service to the Town of Kittery.

Moved by Councilor Hamm, seconded by Councilor Clark.

Motion Carried 7-0-0

- b. (120221-2) The Kittery Town Council moves to interview and reappoint Karen Kalmar to the Planning Board for a three-year term to expire 12/31/2024.

Chair Spiller asked Ms. Kalmar why she would like to be re-appointed to the Planning Board.

Ms. Kalmar explained to the Council the reasons for wanting to be re-appointed to the Planning Board, Ms. Kalmar stated she enjoys the work, finds it interesting, and she respects all the members of the board.

Moved by Councilor Stevens, seconded by Councilor Hamm.

Motion Carried 7-0-0

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

- a. (120221-3) The Kittery Town Council moves to receive the FY'21 Audit Report.

Patricia Moore, Finance Director gave an overview of the FY'21 Audit Report.

Christina Howe, of RHR Smith & Company Certified Public Accountants gave the presentation on the FY'21 Audit Report and answered any questions the Council may have had.

10. PUBLIC HEARINGS

- a. (120221-4) The Kittery Town Council moves to approve a multi-year agreement for solid waste hauling.

The Town Manager gave an overview of the multi-year agreement for solid waste hauling.

Vice Chair 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 the approval for the Town Manager to execute a five-year agreement for waste hauling services, seconded by Councilor Stevens.

Motion Carried 7-0-0

b. (120221-5) The Kittery Town Council moves to approve a new Victualer's License application from Chubbs Subs and Bakery located at 345 US Route 1, Kittery.

Moved by Vice Chair Dow, seconded by Councilor Hamm

Motion Carried 7-0-0

11. DISCUSSION

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

b. Chairperson may read written comments into the record.

Jeff Thomson, 25 Old Post Road, Kittery, Maine spoke about being a member of the Trustees of Trust Funds, and wrote about the history of Mary Safford Wildes and the Mary Safford Wildes Trust Fund.

c. Chairperson's response to public comments.

12. UNFINISHED BUSINESS

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(120221-6) The Kittery Town Council moves to accept a donation in the amount of \$100.00 from Robert and Megan Kline, to be deposited into the KCC donations account #2063.

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

b. (120221-7) The Kittery Town Council moves to accept a grant award in the amount of \$15,000 from the Stephen and Tabitha King Foundation, to be deposited into the Fire Department Equipment reserve account #4056.

Fire Chief David O'Brien gave an overview of the grant award from the Stephen and Tabitha King Foundation.

Moved by Councilor Hamm, seconded by Councilor Stevens.

Motion Carried 7-0-0

c. (120221-8) The Kittery Town Council moves to reappoint the following Board and Committee members; all terms are for three years and will expire on 12/31/2024.

- Joseph Afienko – Board of Assessment Review
- William Peirce – Board of Assessment Review
- Karen Saltus – Conservation Commission
- Earledean Wells – Conservation Commission
- Thomas Battcock-Emerson – Economic Development Committee
- Matthew Brock – Kittery Housing Committee
- Debbie Driscoll – Kittery Housing Committee
- Drew Fitch – Kittery Housing Committee
- Emily Flinkstrom – Kittery Housing Committee
- Daniel Clapp – Shellfish Conservation
- Todd Rollins – Shellfish Conservation
- Peter Thomas – Shellfish Conservation
- Jeff Thomson – Trustees of Trust Funds

Moved by Vice Chair Dow, seconded by Council Hamm.

Motion Carried 7-0-0

d. (120221-9) The Kittery Town Council moves to approve the surplus of tax acquired properties for Rogers Road and Phelps Street via recommended methods.

The Town Manager gave an overview of the surplus of tax acquired properties for Rogers Road and Phelps Street via recommended methods.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

Motion Carried 7-0-0

e. (120221-10) The Kittery Town Council moves to support the SAFER grant application.

The Town Manager gave an overview of the SAFER grant application.

Town of Kittery's Fire Chief, David O'Brien, explained to the Council how important the SAFER grant is and answered any questions the Council may have had.

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

f. (120221-11) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Climate Adaptation Committee to interview John McCollett for a three-year term to expire 12/31/2024.

Chair Spiller moved to appoint Vice Chair Dow, seconded by Councilor Clark.

All were in favor.

g. (120221-12) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Economic Development Committee to interview Robert Kaszynski for a three-year term to expire 12/31/2024.

Councilor Stevens moved to appoint Councilor Clark, seconded by Councilor Hamm.

All were in favor.

h. (120221-13) The Kittery Town Council moves to appoint a Councilor along with the Chair of the Conservation Commission to interview Lois Marshall for a three-year term to expire 12/31/2024.

Vice Chair Dow moved to appoint Chair Spiller, seconded by Councilor Stevens.

All were in favor.

i. (120221-14) The Kittery Town Council moves to approve a renewal Liquor License application from the Loyal Order of Moose #444, located at 76 US Route 1 Bypass Kittery.

Moved by Vice Chair, seconded by Councilor Hamm.

Motion Carried 7-0-0

j. (120221-15) The Kittery Town Council moves to approve a Special Activity Amusement permit application from the Loyal Order of Moose #444, located at 76 US Route 1 Bypass Kittery.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

Motion Carried 7-0-0

k. (120221-16) The Kittery Town Council moves to approve a renewal Liquor License application from Weathervane Seafoods, located at 306 US Route 1, Kittery.

Moved by Councilor Stevens, seconded by Vice Chair Dow.

Motion Carried 7-0-0

l. (120221-17) The Kittery Town Council moves to approve a renewal Liquor License application from Roberts Maine Grill, located at 326 US Route 1, Kittery.

Moved by Vice Chair Dow, seconded by Chair Spiller.

Motion Carried 7-0-0

m. (120221-18) The Kittery Town Council moves to schedule a public hearing on January 24, 2022 to approve the Recodification of Title-16.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

All were favor.

Chair Spiller scheduled a Workshop with the Planning Board January 3, 2022 at 6 p.m.

n. (120221-19) The Kittery Town Council moves to approve the collective bargaining agreements for the following:

- Police Officers
- Police Supervisors
- Public Safety Dispatch
- Department of Public Works

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

o. (120221-20) The Kittery Town Council moves to approve the following sponsored spaces for the Rice Public Library.

- Children's Circulation Desk and Story Time Area, Given by the Family in honor of Ed and Windy Burns.
- Second Floor Quiet Study/Travel Collection Room, Given by George III, George IV, Gregory and Siobhan Dow, in memory of Jacqueline Ann Dow.

Moved by Chair Spiller, seconded by Councilor Pelletier.

Motion Carried 7-0-0

14. COUNCILOR ISSUES OR COMMENTS

Vice Chair Dow spoke about the Buoy Tree and the Stuff a Lobster Boat, as well as mentioned the great job the Kittery Port Authority's Chair Kelly Philbrook and member Steve Lawrence did this year.

Vice Chair Dow spoke about the Seacoast Fridge, he stated it's another way for people to give back.

Vice Chair Dow congratulated the Town Manager, Finance Director, and the Town staff for a great year.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Spiller reminded the Council about the Workshop with the Planning Board January 3, 2022 at 6 p.m.

Chair Spiller also mentioned a Workshop on January 3, 2022 at 5 p.m. for Council Goals.

Chair Spiller spoke about the certificates for the Maine Freedom of Information Access Act.

Chair Spiller stated she along with several Councilors went on a library tour last week, the group said the new library is beyond expectations.

Chair Spiller wished everyone Happy Holidays.

b. Committee Reports - None

16. EXECUTIVE SESSION

a. (120221-20) The Kittery Town Council motions to go into Executive Session with the Town Manager, pursuant to 1 MRS §405 (6) (D) to Discuss labor negotiations.

17. ADJOURNMENT

Vice Chair Dow moved to adjourn at 7:35 p.m., seconded by Councilor Hamm.

All were in favor.

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.