

KITTERY TOWN COUNCIL Approved Minutes

January 10, 2022, Remote

6:00PM

1. Call to Order

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

Chair Spiller recognized the passing of Malcom Foss, and Steve Estes with a moment of silence.

Chair Spiller also thanked the Town Manager, and staff for organizing this remote meeting in such a short notice.

2. Introductory

3. Pledge of Allegiance

4. Roll Call

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

5. Agenda Amendment and Adoption

Under 13. NEW BUSINESS added item m. (010122-16) The Kittery Town Council moves to appoint Lois Marshall to the Conservation Commission for a three-year term to expire 12/31/2024, item n. (010122-17) The Kittery Town Council moves to provide a letter of support for a grant from the Maine Humanities Council for a proposal from Jim White, and Dean Rykerson to produce a video titled Sir William Pepperrell "The Unvarnished Truth".

Chair Spiller cast one vote to approve the agenda as amended.

6. Town Manager's Report

The Town Manager reported on: COVID Update, York County Jail Diversion, and 2021 Year End Goals Report. Upcoming Dates: Dog License renewals deadline – January 31, 2022 at the Town Hall and online www.kitteryme.gov, COVID Booster Clinic – January 12, 2022 from 10AM to 6PM, Gorges Road Fire Station, and the Town Hall will be closed MLK Holiday – January 17, 2022.

7. Acceptance of Previous Minutes

December 13, 2021 – Regular Meeting

Chair Spiller cast one vote to approve the December 13, 2021 minutes as presented.

8. Interviews for the Board of Appeals and Planning Board - None

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

a. (010122-01) The Kittery Town Council moves to receive a presentation from Matthew Young to discuss PFAS at the KRRF.

The Town Manager gave an overview on the reason for the presentation.

Matthew R. Young, Project Manager - Landfill Closure and Remediation Program Division of Remediation, from Maine Department of Environmental Protection conducted a presentation to the Council and discussed PFAS at the KRRF.

10. PUBLIC HEARINGS

a. (010122-02) The Kittery Town Council moves to approve a new Victualer's License application from Carl's Meat Market, located at 25 State Road, Kittery.

Moved By Vice Chair Dow, seconded by Councilor McGuire.
Motion Carried 7-0-0

b. (010122-03) The Kittery Town Council moves to approve a new Victualer's License application from The Golden Harvest, located at 47 State Road, Kittery.

Moved by Councilor Hamm, seconded by Vice Chair Dow.
Motion Carried 7-0-0

11. DISCUSSION

a. Discussion by members of the public (three minutes per person). - None

b. Chairperson may read written comments into the record.

Suzanne Sayer, 1 Prince Avenue, Kittery, ME., questioned why only 1 out of the 5 candidates running for Town Council asked about her petition and why none of them asked Chair Spiller, or others that had set up tables. What the petitions were about at the November 2, 2021 Election. Ms. Sayer also asked where in the Town she could collect signatures for petitions.

Darius Gerald and Katharine Thomas, requested the Council not to authorize any final Cannabis licenses for the Adult Use market as a result of the lottery.

Mike Kingston, 9 Jewett Lane, Kittery, ME, commented in support of his neighbors regarding the poorly handled communication from the DEP and the Town of Kittery regarding the current PFAS testing on their road.

Kerrin Duffy 8 Jewett Lane, Kittery, ME., requested to know exactly when the PFAS was detected at the landfill, and how often it has been tested, as well as the first date of detection.

c. Chairperson's response to public comments.

Chair Spiller responded to Ms. Sayer by requesting the Council to raise their hands if they were in favor of allowing signatures for petitions on Town property, no Councilors were in favor.

Chair Spiller responded to Darius Gerald and Katharine Thomas and stated the marijuana lottery results would not change.

Chair Spiller apologized to Mike Kingston about the lack of communication.

Chair Spiller said the Town Manager would like to arrange a meeting with Maine DEP and the residents of Jewett Lane.

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(010122-04) The Kittery Town Council moves to accept a donation in the amount of \$100.00 from Meetinghouse Village to be deposited into account #2063 KCC donations.

Moved by Vice Chair Dow, seconded by Councilor Hamm
Motion Carried 7-0-0

b. (010122-05) The Kittery Town Council moves to accept a donation in the amount of \$154.00 from Hannaford's Bloomin' 4 Good Program to be deposited into account #2063 KCC donations.

Moved by Vice Chair Dow, seconded by Councilor Stevens.
Motion Carried 7-0-0

c. (010122-06) The Kittery Town Council moves to accept a donation in the amount of \$10,000 from York Hospital to be deposited in Kittery Community Center account #5003.

Moved by Councilor Hamm, seconded by Councilor Clark.
Motion Carried 7-0-0

d. (010122-07) The Kittery Town Council moves to accept a donation in the amount of \$85,000 from RPL Corporation to be deposited into Rice Public Library account #4060/43602.

Moved by Councilor Stevens with great appreciation, seconded by Councilor McGuire.
Motion Carried 7-0-0

e. (010122-08) The Kittery Town Council moves to finalize and approve their annual and budget goals.

Chair Spiller gave an overview of the Council's annual and budget goals.

Moved by Vice Chair Dow, seconded by Councilor Hamm.
Motion Carried 7-0-0

f. (010122-09) The Kittery Town Council moves to schedule a public hearing on January 24, 2022 on Title 2 Amendments – Paid Time Off.

Moved by Vice Chair Dow, seconded by Councilor Hamm.
Motion Carried 7-0-0

g. (010122-10) The Kittery Town Council moves to schedule a public hearing on January 24, 2022 to update Titles 5 and 13 to conform with Title 16.

Moved by Councilor Stevens, seconded by Vice Chair Dow.
All were in favor.

h. (010122-11) The Kittery Town Council moves to schedule a public hearing on February 14, 2022 on Title 16 – Marijuana Zoning Amendments.

Moved by Vice Chair Dow, seconded by Councilor Hamm.
Motion Carried 6-0-1

Chair Spiller, Vice Chair Dow, Councilor Pelletier, Councilor Hamm, Councilor Stevens, and Councilor McGuire voted yes.

Councilor Clark abstained.

i. (010122-12) The Kittery Town Council moves to approve a renewal Liquor License application from Woodland Farms Brewery, located at 306 US Route 1 Kittery.

Moved by Councilor McGuire, seconded by Councilor Stevens.
Motion Carried 7-0-0

j. (010122-13) The Kittery Town Council moves to approve a renewal Liquor License application from 518 Noodle Bar located at 518 US Route 1, Kittery.

Moved by Councilor Stevens, seconded by Councilor Hamm.
Motion Carried 7-0-0

k. (010122-14) The Kittery Town Council moves to appoint Celestyne Bragg to the Economic Development Committee for a three-year term to expire 12/31/2024.

Moved by Councilor McGuire, seconded by Vice Chair Dow.
Motion Carried 7-0-0

l. (010122-15) The Kittery Town Council moves to approve a request from Kittery Little League to hang a banner across Rogers Road from 2/1/2022 until 3/1/2022.

Moved by Vice Chair Dow, seconded by Councilor Clark.
Motion Carried 7-0-0

m. (010122-16) The Kittery Town Council moves to appoint Lois Marshall to the Conservation Commission for a three-year term to expire 12/31/2024.

Moved by Chair Spiller, seconded by Vice Chair Dow.
Motion Carried 7-0-0

n. (010122-17) The Kittery Town Council moves to issue a letter of support in regards to a grant from the Maine Humanities Council, for a proposal from Jim White and Dean Rykerson to produce a video titled Sir William Pepperrell "The Unvarnished Truth".

Moved by Councilor Stevens, seconded by Councilor Hamm.
Motion Carried 6-0-1

Chair Spiller, Vice Chair Dow, Councilor Clark, Councilor Hamm, Councilor Stevens, and Councilor McGuire were in support of the letter.
Councilor Pelletier abstained.

14. COUNCILOR ISSUES OR COMMENTS

Vice Chair Dow wanted to thank the Town Manager, her staff, the School Superintendent and the administrative staff for all the work they are doing in managing COVID in our community.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Spiller stated that on Wednesday, January 12, 2022 Vice Chair Dow, the Town Manager, and herself would be meeting with the Chair of the School Committee, and the Superintendent of schools to talk about the school budget.

Chair Spiller mentioned she and the Town Manager met with the representatives from Protect Kittery Waters in reference to Spruce Creek. She also stated the Climate Action Committee endorsed collaborations between the Town and Protect Kittery Waters. Chair Spiller stated that during the January 24, 2022 meeting there will be a Town and Community wide presentation of Kittery's Greenhouse Gas Emissions inventory from Karina Graeter with SMPDC.

b. Committee Reports - None

16. EXECUTIVE SESSION - None

17. ADJOURNMENT

Vice Chair Dow moved to adjourn at 7:31 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 refer to the video of the meeting on the Town of Kittery website.