

KITTERY TOWN COUNCIL Approved Minutes

COUNCIL CHAMBERS

March 28, 2022, 6:00PM

1. Call to Order

Chair Spiller called the meeting to order at 6:00 pm.

2. Introductory

3. Pledge of Allegiance

4. Roll Call

Councilors present: Chair Judith Spiller, Vice Chair George Dow, Councilor Cyrus Clark, Councilor Cameron Hamm, Councilor Jeffrey Pelletier, and Councilor Mary Stevens was a late arrival. Councilors present on ZOOM: Councilor Colin McGuire.

5. Agenda Amendment and Adoption

Chair Spiller cast one vote for the agenda as presented.

6. Town Manager's Report

The Town Manager reported on: York verses Kittery border, Rice Library Project final stages, Diversity, Equity and Inclusion Ad Hoc Committee, and March for Meals. Upcoming Dates: Education Scholarship applications are due April 14, 2022, available online at www.kitteryme.gov/scholarship, Mooring renewals are due April 15, 2022, at the Harbormaster's office, or online at www.kitteryme.gov/online mooring, the Easter Egg Hunt will be on April 9, 2022 located at the Kittery Community Center, AARP Tax Aide is by appointment, on Wednesdays & Thursdays, February 2 – April 14, 2022, located at the Kittery Community Center, KEEP Property Tax Payment Plan applications are due – June 1, 2022 at the Town Hall, Senior Tax Credit applications are due – July 1, 2022, and are available at the Town Hall, or www.kitteryme.gov/taxpaymentassistance.

7. Acceptance of Previous Minutes

• March 14, 2022 Regular Meeting

Chair Spiller cast one vote to approve the March 14, 2022 minutes as written.

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 officials. - None

10. PUBLIC HEARINGS

a. (030222-1) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Crepe & Karak Mobile Food Unit, located at 154 Brackett Street, Westbrook, Maine.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

Motion Carried 6-0-0

b. (030222-2) The Kittery Town Council moves to hold a public hearing on a new Victualer's License application from Red's Good Vibes Mobile Food Unit, located at 438 Portsmouth Avenue, Greenland, NH.

Caitlin McGrath-Levesque, owner of Red's Good Vibes food truck spoke about the food truck and its purpose, and asked for the Council's support.

Whitney Blethen, 3 Ryle Way, Kittery spoke in support of Red's Good Vibes food truck.

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

c. (030222-3) The Kittery Town Council moves to hold a public hearing on Title 12.4.9 - Seapoint and Crescent Beach Fires.

The Town Manager gave an overview of Title 12.4.9 - Seapoint and Crescent Beach Fires.

Brian Early, 123 Rogers Road, Kittery had expressed some concerns with Title 12.4.9 - Seapoint and Crescent Beach Fires.

Todd Thayer, 8 Thaxter Lane, Kittery spoke about being a member of the Beach working group and tried to address some of Brian Early's concerns.

Lois Marshal, 100 Blackberry Place, Kittery stated she assisted with the beach clean-up and was disturbed by all the fire pits at Seapoint Beach.

Debbie Thayer, 8 Thaxter Lane, Kittery spoke in support of the proposed rules requiring permits for fires at Seapoint beach.

Dave and Barbara Durling, 29 Adams Drive, Kittery asked if there was an age limit for a fire permit, how is the fire permits going to be monitored, and asked, would it be possible to have designated fire pits.

Michael Blackman, 47 Seapoint Road, Kittery Point, spoke about the increase of fires on Seapoint Beach in the past five to seven years, the trash being left, cars peeling out, and driving out drunk. Title 12.4.9 - Seapoint and Crescent Beach Fires gives the town a year to gain some control and make the adjustments where it is needed.

Moved by Vice Chair Dow, seconded by Councilor Stevens.

Motion Carried 7-0-0

11. DISCUSSION

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

Brian Early, 123 Rogers Road, Kittery requested the minutes from the Beach Working Group be posted on the website. He also wanted to express his disappointment on some COVID related issue such as the blanket emergency not being able to meet in person and wasn't stated why.

Filomena Knowles, 2 Estuary Drive, Kittery expressed concerns about over development of housing and the impact it would have on Kittery and mentioned the Council should intervene when the Planning board gives approval on applications that will greatly increase the town's population.

Suzanne Johnson, 13 Cromwell Street, Kittery wrote she had received an email invitation to apply for the DEI and was in awe that she would be asked, since she has never been chosen for any board, she has applied for, although she was and remains qualified for each board which rejected her.

John Werner, 8 Pearson Place, Kittery wrote in and gave three recommendations for the Affordable housing at 900-unit Kittery Dennett Landing project for the Council to consider.

b. Response to public comment directed to a particular Councilor.

c. Chairperson's response to public comments.

Chair Spiller responded to Mr. Early and stated having meetings remotely was due to a peak in COVID, the last two years have been an adventure trying to figure out how to keep the public safe referring to Mr. Early's concerns regarding masks.

Chair Spiller responded to Ms. Knowles and said it is illegal for the town to intervene with the Planning Boards decisions.

Chair Spiller responded to Ms. Johnson and stated the town is looking for ways to keep the population safe. Chair Spiller encouraged Ms. Johnson to apply for the Diversity, Equity, and Inclusion committee.

Chair Spiller responded to Mr. Werner and said the town is looking into electric vehicle charging stations, roof top solar installations, and solar systems, but it would take time.

12. UNFINISHED BUSINESS - None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition. - None

b. (030222-4) The Kittery Town Council moves to execute Amendment 1 to the Intermunicipal Agreement between the Town of Kittery and the Town of Eliot for an additional 200,000 gallons per day of guaranteed flow.

The Town Manager gave an overview of Amendment 1 to the Intermunicipal Agreement between the Town of Kittery and the Town of Eliot for an additional 200,000 gallons per day of guaranteed flow.

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

c. (030222-5) The Kittery Town Council moves to schedule a public hearing on April 11, 2022 to Authorize the Lease of Fire Apparatus.

The Town Manager gave an overview of the Lease of Fire Apparatus.

Moved to schedule a public hearing on April 11, 2022, by Councilor Stevens, seconded by Councilor Clark.

Motion Carried 7-0-0

d. (030222-6) The Kittery Town Council moves to review the Town Meeting warrant articles for the June 14, 2022 election.

Moved to review by Councilor Clark, seconded by Vice Chair Dow.

No Action required.

e. (030222-7) The Kittery Town Council moves to review and approve the Fort Foster Rules Update.

The Town Manager gave an overview of the Fort Foster rules update.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

f. (030222-8) The Kittery Town Council moves to approve the increase of the Wetland Impact Fees.

Moved by Vice Chair Dow, seconded by Councilor Clark.

Motion Carried 7-0-0

g. (030222-9) The Kittery Town Council moves to approve the appointments of Warden, Deputy Warden, and Election Workers for the ensuing elections.

Moved by Vice Chair Dow, seconded by Councilor Hamm.

Motion Carried 7-0-0

h. (030222-10) The Kittery Town Council moves to approve a renewal Liquor License application from Maine Beer Café, located at 439 US Route 1, Kittery.

Moved by Councilor Stevens, seconded by Councilor Hamm.

Motion Carried 7-0-0

i. (030222-11) The Kittery Town Council moves to approve the collective bargaining agreement for the following.

- Technical Unit

Moved by Councilor Clark, seconded by Vice Chair Dow.

Motion Carried 7-0-0

j. (030222-12) The Kittery Town Council moves to support an application for Congressionally Directed Spending for the reestablishment of a nature based childcare program at the KCC.

The Town Manager gave an overview of the Congressionally Directed Spending for the reestablishment of a nature based childcare program at the KCC.

Moved by Vice Chair Dow, seconded by Councilor Stevens.

Motion Carried 7-0-0

k. (030222-13) The Kittery Town Council moves to support an application for Congressionally Directed Spending for the support of the Police Community Outreach Liaison program.

The Police Chief Robert Richter gave an overview of the Congressionally Directed Spending for the support of the Police Community Outreach Liaison program.

Moved by Councilor Clark, seconded by Councilor Hamm.

Motion Carried 7-0-0

14. COUNCILOR ISSUES OR COMMENTS

Councilor McGuire spoke about the Kittery Land Trust putting on the Seacoast Environmental film festival at the Star Theater on 4/9/2022. He also mentioned needing applicants for the Diversity, Equity, and Inclusion Ad Hoc Committee.

Councilor Stevens mentioned on 5/13/2022, at the Kittery Community Center there will be an opening for an art show called "29 Mainers."

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Chair Spiller read a communication from the York County Budget committee and they are looking for a Town Councilor to serve on the Budget committee. Councilor Hamm volunteered.

b. Committee Reports

16. EXECUTIVE SESSION - None

17. ADJOURNMENT

Vice Chair Dow moved to adjourn at 8:18 p.m., seconded by Councilor Clark.

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.