

1. Call to Order

Chairperson Beers called the meeting to order at 7:01 p.m.

2. Introductory

Chairperson Beers read the introductory.

3. Pledge of Allegiance

Chairperson Beers led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll call were Chairperson Gary Beers, Vice Chairperson Charles Denault, Councilors Jeffrey Thomson, Russell White, Kenneth Lemont, and Judith Spiller.

Absent from the roll call was Councilor Frank Dennett.

5. Agenda Amendment and Adoption

Chairperson Beers stated that Councilor Dennett requested Item 9 be postponed to the next regular meeting.

Chairperson Beers requested that Item 13g be moved to Item 9.

Chairperson Beers requested that Item 13c, Item 13d, and Item 13k insert the phrase “for a term effective this date” after the words “Directors”, “Authority”, and “member”, respectively.

Agenda was adopted as presented.

6. Town Manager’s Report

Town Manager Granfield reviewed her written report.

Tax Rate Adjustment – Council will consider adjusting the tax rate for fiscal year 2017 in the present meeting. Information provided by the Assessor will help to set a reasonable tax rate.

Police Lieutenant – The Town has hired a new police lieutenant named Westbrook police detective Sgt. John Desjardins and will begin his position on October 3, 2016. The position has been vacant for some time and has followed a lengthy process.

Personnel Board – After meeting with the Personnel Board regarding the status of positions, it was noted that the Board has not been recently active and it was questioned whether the Board should conduct a review. It was stated that the Board was established at a time when the Town had no Human Resources Department. It would require a charter modification for any changes to the responsibilities of the Board.

Human Resources – The Human Resources Manager is a dual role between Town and School. After discussion with the School Department, it was determined that the position should be available onsite and on a regular basis. Thus, effective November the Human Resources

Department will be available five days per week from 8-4pm.

Sewer Betterment Assessment – After letters were sent out regarding various options, there have been several phone calls and e-mails with questions. On September 15th, connection information will be sent from the Sewer Department. The deadline for hearing requests from residents is September 13th at 4:00pm. The hearings with Town Council will be held on September 19th. A few deferral requests have been received by the Town Manager. The excel worksheet for determining quarterly payments is available on the Town website. Once the payment system is established, residents can determine what payment plan option they would like to choose.

Foreside Parking Meeting – A Foreside Parking Meeting was held with several department heads and facilitated by Town Manager Granfield at Traip Academy. There was great discussion regarding increasing the connectivity in the sidewalks in the area and parking options. The impact of parking fees was discussed. The Fire Chief and a representative from the Police Department were not present for the meeting. Additional discussion was had regarding access, mapping, and leasing spaces. The Department of Public Works evaluated and identified potential areas for additional parking.

There were 25 new parking spaces striped on Walker Avenue the next day after the meeting. There will be a public hearing for those spaces to consider the 2-hour limitation.

Town Manager Search – Two final candidates for the Town Manager position will be interviewed by department heads, a citizen panel, and the Town Council on September 13th.

Badger's Island Crosswalk – Town Manger Granfield highlighted the determinations regarding the request for a crosswalk at Badger's Island. There were concerns for ADA compliance requirements and she made the public aware of those considerations. She questioned whether the Council had been advised of potential liability and compliance concerns.

Bonds – The Town will move forward with issuing bonds on September 13th. Each time the Town sells bonds in the public market, the Town has to reapply. The bond raters and Moody's confirmed that it is AA and AA+ ratings. The ratings reflect a variety of positive aspects within the Town.

Vice Chairperson Denault asked if the Personnel Board will continue to be utilized. Town Manager Granfield noted that job descriptions were provided to the Board and no changes have been made to the responsibilities of the Board.

Vice Chairperson Denault asked if a sewer betterment hearing can be scheduled for special circumstances that miss the deadline for requests. Town Manager Granfield thought those could be considered on a case-by-case basis.

Councilor Thomson asked whether there has been discussion with Maine DoT, NH DoT or Mr. John Bohenko regarding the traffic issues due to the Sarah Mildred Long bridge closure. Town Manager Granfield understood that most of the traffic should conclude soon given the season changes. She will discuss with Mr. Bohenko what the City of Portsmouth is experiencing. She will also look into what kind of action can be taken in the Fall to address the issues in anticipation of next summer. Councilor Thomson noted the concerns for pedestrian safety that the traffic has imposed, especially near the York Hospital intersection. Councilor Spiller asked if

there has been consideration to change the bridge lift schedule. Chairperson Beers answered that in past requests, it was indicated that maritime traffic has precedence over land traffic.

Councilor Thomson noted that the press release on reissuing the bonds emphasizes the strong fiscal management that helped to stabilize the Town's financial systems. He wondered if there existed any opportunity to salvage the relationship with Ms. Saklad. Town Manager Granfield replied that Ms. Saklad is moving forward with her resignation.

Councilor White asked if there exists a list of all crosswalks that are in compliance. Town Manager Granfield replied that she will ask the Commissioner to retrieve a list.

Councilor Beers stated a check in the amount of \$25,181.74 was received from the Steven A. Hynes Real Property Trust agreement owner of Yankee Parks for installation of rectangular, rapid flashing beacons on Route 1 at a crosswalk near the Weathervane, Trading Post, and Robert's Maine Grill. According to Commissioner Rich, the installation will be handled by the Department of Public Works.

7. Acceptance of Previous Minutes

Regular Meeting – July 25, 2016

Line 20 – replace “whom” with “who”

Line 114 – add “of” between provision and regarding

Line 117-118 – strike the semicolon after the words “that”, add semicolon after the word “Towns” and “rules”

Line 205 – insert “to” after “addressed”

Line 450 – switch “1,000,000” and “100,000”

Line 471 –insert comma after word “mooring”

Line 513 – insert “to” after “that plan”

Line 523 – replace “Sean” with “Shawn”

Line 539 – first word read “EXECUTIVE”

Line 543 - add “E” in the word “WHITE”

The minutes were adopted, as amended.

Special Meeting – August 15, 2016

Line 32 – insert “an” after “posed”

Line 38, 39, 43 – change spelling of “Garrison” to “Gerasain”

Line 86 – replace “subside” with “repayment would be made in the following two years”

Line 120 – replace “the bond” with “a bond”

Line 126 – replace “24” as “19-24” and “2703” to read “27-03”

The minutes were adopted, as amended.

Regular Meeting – August 22, 2016

Line 21 – replace “state board and rather” with “state board but rather”

Line 208 – insert comma and replace “whom” with “who” after Arsenault

Councilor Thomson stated his abstention due to his absence.

The minutes were adopted, as amended.

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

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

a. (090116-9) The Kittery Town Council moves to establish an overlay amount of \$____, resulting in a mill rate of ____ mills, and to charge an interest rate of 7% per annum on past due accounts and confirms the dates of October 31, 2016, February 15, 2017 and May 31, 2017, as the due dates for property and personal property taxes.

Paul McKenney, Assessor Temp Interim

Mr. McKenney explained that when the budget was first proposed, he estimated roughly a \$11 million to \$12 million increase. He did not consider at the time the increase on homestead exemption from \$12,000 to \$15,000. This year's assessment ratio was valued at 92% of the market, rather than the 100%. That \$15,000 homestead was reduced to \$13,800. There are 1,473 homestead exemptions, which compensated for the shortfall in growth. He recommended a tax rate of \$16.05, which results in an overlay of \$92,481.

Mr. McKenney corrected his statement that the overlay amount is \$92,479.

A MOTION WAS MADE BY COUNCILOR THOMSON TO ORDAIN FOR FISCAL YEAR 2017 A TAX RATE OF \$16.05 PER THOUSAND VALUATION AND AN OVERLAY AMOUNT OF \$92,479, AND TO CHARGE AN INTEREST RATE OF 7% PER ANNUM ON PAST DUE ACCOUNTS AND CONFIRMS THE DATES OF OCTOBER 31, 2016, FEBRUARY 15, 2017 AND MAY 31, 2017, AS THE DUE DATES FOR PROPERTY AND PERSONAL PROPERTY TAXES, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

10. PUBLIC HEARINGS

a. (090116-2) The Kittery Town Council moves to hold a public hearing on a renewal application for Delta Amusement, Inc., 182 State Road, Kittery for a Special Activity Amusement Permit for Navy Yard Bar & Billiards, 182 State Road.

Chairperson Beers opened the floor for public comment. Hearing none; Chairperson Beers closed the public hearing.

A MOTION WAS MADE BY COUNCILOR THOMSON TO ACCEPT THE APPLICATION FOR DELTA AMUSEMENT, INC., 182 STATE ROAD, KITTERY FOR A SPECIAL ACTIVITY AMUSEMENT PERMIT FOR NAVY YARD BAR & BILLIARDS, 182 STATE ROAD, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

11. DISCUSSION

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

Willie Goodson, 15 Martin Road

Mr. Goodson commended the efforts Council to help lessen the sewer assessments. He expressed concerns regarding the timing for receipt of information. The 90-day connection requirement will overlap into the Winter months and pose an issue for contractors digging up frozen group.

He requested that the 90-day requirement be deferred until at least the Spring season.

- b. Response to public comment directed to a particular Councilor – None.
- c. Chairperson's response to public comments

Mr. Goodson – He understood that Superintendent Kathios would provide the information the day after the Town Code revisions became effective. There is a provision in the revision ordained by Council on August 15th that indicates under unforeseen circumstances precluding a homeowner from engaging a contractor to complete the connection, a request can be made to the Town Manager for postponement to the Spring season.

12. UNFINISHED BUSINESS – None.

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition

(090116-3) The Kittery Town Council moves to accept a donation in the amount of \$9,250 from York Hospital to the Recreation Department for scholarships to be deposited in account #5003-43600 York Hospital Scholarships.

A MOTION WAS MADE BY COUNCILOR THOMSON TO ACCEPT A DONATION IN THE AMOUNT OF \$9,250 FROM YORK HOSPITAL TO THE RECREATION DEPARTMENT FOR SCHOLARSHIPS TO BE DEPOSITED IN ACCOUNT #5003-43600 YORK HOSPITAL SCHOLARSHIPS WITH GRATITUDE, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

- b. (090116-4) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$99,186.99.
Sewer accounts payable of \$94,338.13.
School accounts payable of \$467,218.84.
School accounts payable of \$122,254.06.
Total of all disbursement warrants of \$782,998.02.

Chairperson Beers stated that the Town and Sewer warrants are in order. Councilor Lemont that the School warrants are in order.

A MOTION WAS MADE BY COUNCILOR SPILLER TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

- c. (090116-5) The Kittery Town Council moves to appoint Kristi Mathieson to the KCC Board of Directors for a term effective this date until 12/31/19.

A MOTION WAS MADE BY CHAIRPERSON BEERS TO APPOINT KRISTI MATHIESON TO THE KCC BOARD OF DIRECTORS FOR A TERM EFFECTIVE THIS DATE UNTIL 12/31/19, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

d. (090116-6) The Kittery Town Council moves to appoint Charles Patten to the Port Authority for a term effective this date until 8/31/19.

A MOTION WAS MADE BY COUNCILOR WHITE TO APPOINT CHARLES PATTEN TO THE PORT AUTHORITY FOR A TERM EFFECTIVE THIS DATE UNTIL 8/31/19, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

e. (090116-7) The Kittery Town Council moves to release funds in the amount of \$3,500 from unassigned surplus and to appropriate said funds to be paid out of account #101740-68427 Expense Self Insurance Claims, to pay the deductible associated with an insurance claim.

A MOTION WAS MADE BY COUNCILOR SPILLER TO RELEASE FUNDS IN THE AMOUNT OF \$3,500 FROM UNASSIGNED SURPLUS AND TO APPROPRIATE SAID FUNDS TO BE PAID OUT OF ACCOUNT #101740-68427 EXPENSE SELF INSURANCE CLAIMS, TO PAY THE DEDUCTIBLE ASSOCIATED WITH AN INSURANCE CLAIM, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

f. (090116-8) The Kittery Town Council moves to approve a renewal application for Delta Amusement Inc., 182 State Road, Kittery for a Malt, Spirituous and Vinous Liquor License for Navy Yard Bard & Billiard, 182 State Road.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL APPLICATION FOR DELTA AMUSEMENT INC., 182 STATE ROAD, KITTEY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR NAVY YARD BARD & BILLIARD, 182 STATE ROAD, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

h. (090116-10) The Kittery Town Council moves to schedule a public hearing for September 26, 2016 on proposed amendments to Title 2 of the Kittery Town Code.

A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 26, 2016 ON PROPOSED AMENDMENTS TO TITLE 2 OF THE KITTEY TOWN CODE, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

i. (090116-11) The Kittery Town Council moves to schedule a public hearing for September 26, 2016 on proposed amendments to Title 10 of the Kittery Town Code.

A MOTION WAS MADE BY COUNCILOR THOMSON TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 26, 2016 ON PROPOSED AMENDMENTS TO TITLE 10 OF THE KITTEY TOWN CODE, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

j. (090116-12) The Kittery Town Council moves to amend Title 11 General Assistance Appendices A-D for the period of October 1, 2016 – September 30, 2017, as required and provided by the State of Maine.

A MOTION WAS MADE BY COUNCILOR THOMSON TO AMEND TITLE 11

GENERAL ASSISTANCE APPENDICES A-D FOR THE PERIOD OF OCTOBER 1, 2016 – SEPTEMBER 30, 2017, AS REQUIRED AND PROVIDED BY THE STATE OF MAINE, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

k. (090116-13) The Kittery Town Council moves to appoint Mary Thron to the Board of Assessment Review as an alternate member for a term effective this date until 12/31/19.

A MOTION WAS MADE BY VICE CHAIRPERSON DENAULT TO APPOINT MARY THRON TO THE BOARD OF ASSESSMENT REVIEW AS AN ALTERNATE MEMBER FOR A TERM EFFECTIVE THIS DATE UNTIL 12/31/19, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.

l. (090116-14) The Kittery Town Council moves to release funds in the amount of \$5,000 from unassigned surplus and to appropriate said funds to be paid out of account #101740-68427 Expense Self Insurance Claims, to pay the deductible associated with a defective compressor at the Town Hall.

A MOTION WAS MADE BY COUNCILOR SPILLER TO RELEASE FUNDS IN THE AMOUNT OF \$5,000 FROM UNASSIGNED SURPLUS AND TO APPROPRIATE SAID FUNDS TO BE PAID OUT OF ACCOUNT #101740-68427 EXPENSE SELF INSURANCE CLAIMS, TO PAY THE DEDUCTIBLE ASSOCIATED WITH A DEFECTIVE COMPRESSOR AT THE TOWN HALL, SECONDED BY VICE CHAIRPERSON DENAULT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Spiller explained that Kittery Police Officer Cummer has been talking with dog walkers at Fort Foster. He has developed an e-mail distribution list to send out weekly messages encouraging all to clean up after their dogs.

Vice Chairperson Denault indicated that the traffic light on Haley Road to turn left onto Route 1 changes from green to red quicker than typical traffic signals. He asked that the timing be evaluated.

Vice Chairperson Denault asked if discussion could be had with the School Superintendent for his suggestion to help mitigate the dog waste at Fort Foster. He suggested that the School Department explore the idea of having students in the wood shop work on a general project design for dog waste receptacles that would make it easier for DPW to maintain. It could be counted as community credit towards graduation.

Councilor Thomson congratulated Graham Alvord on his recent 100th birthday. He highlighted Mr. Alvord's community involvement to include guest speaking at St. Thomas Aquinas High School about his D-Day experiences.

Councilor Thomson provided details about the Neighborhood Network, which is a program established by York Housing in partnership with York Hospital. It is a program available to Kittery residents that are 50 years and older to provide various services and resources including

health and wellness activities, transportation, and more, at an annual fee.

Councilor Thomson expressed his discouragement by the resignation of Ms. Saklad.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

Sewer assessment hearings requested by property owners are scheduled for September 19th. It is unknown how many requests will be had and handled in the first session. September 21st is reserved for continuation of additional hearings, if necessary. Those requests filed before the September 13th deadline will be scheduled for a hearing on September 19th. Property owners have the right to request arbitration after a hearing is conducted. There are positions available for citizens to participate in the arbitration panel group.

b. Committee Reports – None.

16. EXECUTIVE SESSION

a. (090116-13) The Kittery Town Council moves to go in to executive session with the Town Manager in accordance with 1 M.R.S. §405 (6)(C) to discuss a land acquisition.

A MOTION WAS MADE BY COUNCILOR SPILLER TO GO IN TO EXECUTIVE SESSION AT 7:50 P.M. WITH THE TOWN MANAGER IN ACCORDANCE WITH 1 M.R.S. §405 (6)(C) TO DISCUSS A LAND ACQUISITION, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.

A MOTION WAS MADE BY COUNCILOR Click here to enter text. **TO COME OUT OF EXECUTIVE SESSION AT** Click here to enter text. **P.M., SECONDED BY COUNCILOR** Click here to enter text.. **THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

17. ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR Click here to enter text. **TO ADJOURN THE MEETING AT** Click here to enter text. **P.M., SECONDED BY COUNCILOR** Click here to enter text.. **THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

Submitted by Marissa Day, Minutes Recorder, on September 19, 2016.

Disclaimer: The following minutes constitute the author's understanding of the meeting. While 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 at <http://www.townhallstreams.com/locations/kittery-maine>.