

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, Councilors Frank Dennett, Russell White, Kenneth Lemont, Charles Denault and Judith Spiller.

Councilor Thomson joined the meeting at 7:10 p.m.

5. Agenda Amendment and Adoption

Chairperson Beers requested to withdraw Item 13k since the Commissioner has communicated it will be compiled into an upcoming presentation at a later date.

Agenda was adopted, as amended.

6. Town Manager's Report

Town Manager Granfield reviewed her written report.

Sewer Betterment Assessments – Four income deferrals and 14 septic deferrals have been processed to date and several appointments were scheduled for the upcoming week. To alleviate any possible confusion, letters will be sent by mail on November 1st to property owners that have not yet responded with their payment terms. Appointments can be made with the Town Manager after Nov 15th for those requesting deferral of connection. It is too early to determine if connection cannot be made. The connection requirement deferral is due to unforeseen circumstances that prevent completion within the timeframe and the Town Manager can grant an extension. The electronic payment system is currently being set up to accept automatic payments. The billings will not commence until March 2017, which is the beginning of the quarter.

Police Department Fundraiser – Police Chief James Soucy introduced a new fundraiser to York County, which he participated in at the Manchester, NH Police Department that has several officers growing beards for the month of October. It is called Beards for Bucks: Razor-less for a Reason in York County, which raises money for the emerging Children's Advocacy Center of York County. The center is expected to open in the spring of 2017.

Finance Director – Ms. Cindy Saklad's last day is October 13, 2016. Maura Halkiotis will be Interim Finance Director and in Town Hall on Tuesdays and Thursdays.

Capital Improvement Plan (CIP) – The Capital Improvement Program will be starting soon and the new Town Manager will lead this effort in the Fall.

Front Counter Closing – The front counter payment center will be closed on Tuesday, October 20th from 1:45pm to 4:15pm. Staff will be attending training during that time.

The front counter payment center will also be closed on Tuesday, November 8th for staff to assist with running the voting booths.

Employee Recognition Programs – Town Manager Granfield explained the requirements necessary to achieve the Employee of the Quarter Awards. She highlighted each award recipient's achievements and Chairperson Beers presented a certificate to the following individuals:

- Kathleen Rich (Town Hall)
- Jessica Labbe (Kittery Community Center)
- Jimmy Nightingale (Department of Public Works)
- Matthew Connolly (Wastewater Treatment Plant)

Chairperson Beers added that each Police Officer pledged an initial donation of \$25 to participate in the Beards for Bucks fundraiser.

7. Acceptance of Previous Minutes

Special Meeting – September 22, 2016

Councilor Dennett noted that Councilor Lemont was present for the meeting, but not indicated in the roll call.

The minutes were adopted, as amended.

Special Meeting – October 3, 2016

Councilor Dennett noted that Councilor Lemont was present for the meeting, but not indicated in the roll call.

The minutes were adopted, as amended.

Regular Meeting – September 26, 2016

Line 44 – replace “Rachael” with “Rachel”

The minutes were adopted, as amended.

Special Meeting – September 19, 2016

The minutes were adopted, as presented.

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. – None.

10. PUBLIC HEARINGS – None.

11. DISCUSSION

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

No members of the public rose to speak.

b. Response to public comment directed to a particular Councilor – None.

c. Chairperson's response to public comments – None.

12. UNFINISHED BUSINESS – None.

13. NEW BUSINESS

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

b. (100216-1) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$1,847,901.50.

Town accounts payable of \$13,923.70.

Sewer account payable of \$16,599.11.

School accounts payable of \$346,373.04.

Total of all disbursement warrants of \$2,224,797.35.

**A MOTION WAS MADE BY COUNCILOR SPILLER TO APPROVE THE
DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR THOMSON.**

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

THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.

c. (100216-2) The Kittery Town Council moves to authorize the 2017 Project Graduation Committee to hold a tollbooth at the Resource Recovery Facility on October 15, 2016, from 9:00 a.m. to 5:00 p.m. for a fundraiser for Project Graduation.

**A MOTION WAS MADE BY COUNCILOR SPILLER TO AUTHORIZE THE 2017
PROJECT GRADUATION COMMITTEE TO HOLD A TOLL BOOTH AT THE
RESOURCE RECOVERY FACILITY ON OCTOBER 15, 2016, FROM 9:00 A.M. TO
5:00 P.M. FOR A FUND RAISER FOR PROJECT GRADUATION, SECONDED BY
COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL
VOTE 7/0/0.**

d. (100216-3) The Kittery Town Council moves to approve a renewal application from Divine Cuisines LLC, 20 Walker Street, Kittery for a Malt, Spirituous and Vinous Liquor License for Tulsi Indian Restaurant, 20 Walker Street.

**A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL
APPLICATION FROM DIVINE CUISINES LLC, 20 WALKER STREET, KITTERY
FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR TULSI INDIAN
RESTAURANT, 20 WALKER STREET, SECONDED BY COUNCILOR SPILLER. THE
MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.**

e. (100216-4) The Kittery Town Council moves to approve a renewal application from Black Birch, Inc., 2 Government Street, Kittery for a Malt, Spirituous and Vinous Liquor

License for The Black Birch, 2 Government Street.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL APPLICATION FROM BLACK BIRCH, INC., 2 GOVERNMENT STREET, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR THE BLACK BIRCH, 2 GOVERNMENT STREET, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

f. (100216-5) The Kittery Town Council moves to approve a renewal application from Rolling In The Mud, 460 US Route 1, Kittery for a Malt, Spirituous and Vinous Liquor License for When Pigs Fly Pizzeria, 460 US Route 1.

A MOTION WAS MADE BY COUNCILOR SPILLER TO APPROVE A RENEWAL APPLICATION FROM ROLLING IN THE MUD, 460 US ROUTE 1, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR WHEN PIGS FLY PIZZERIA, 460 US ROUTE 1, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

g. (100216-6) The Kittery Town Council moves to approve a renewal application from Clifford Elements LLC, 99 B High Street, Sanford, ME, for a Malt and Vinous Liquor License for Bills Original Kitchen, 1 Government Street.

A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL APPLICATION FROM CLIFFORD ELEMENTS LLC, 99 B HIGH STREET, SANFORD, ME, FOR A MALT AND VINOUS LIQUOR LICENSE FOR BILLS ORIGINAL KITCHEN, 1 GOVERNMENT STREET, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

h. (100216-7) The Kittery Town Council moves to establish the Holiday Parade as a town event, sponsored by the Kiwanis Club of the Seacoast, to be held on Saturday, December 3, 2016 at 3:00 p.m.

A MOTION WAS MADE BY COUNCILOR SPILLER TO ESTABLISH THE HOLIDAY PARADE AS A TOWN EVENT, SPONSORED BY THE KIWANIS CLUB OF THE SEACOAST, TO BE HELD ON SATURDAY, DECEMBER 3, 2016 AT 3:00 P.M., SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

i. (100216-8) The Kittery Town Council moves to schedule a date for Sewer Assessment Hearings.

The Council scheduled the Sewer Assessment Hearings for Tuesday, October 25, 2016 at 6:00pm in Council Chambers. No further action was required.

j. (100216-9) The Kittery Town Council, pursuant to 30-A, M.R.S. §3443 and Town Code §13.2.1, Arbitration Appeal of Assessment, moves to nominate six persons who are residents of the municipality to serve as independent arbitration panel members for the 2015 Sewer Assessment obligation, as follows: William Peirce, Marissa Day, Craig Wilson, Jeff Brake, Vern Gardner, and Shawn Harris.

A MOTION WAS MADE BY VICE CHAIRPERSON DENAULT TO NOMINATE SIX PERSONS WHO ARE RESIDENTS OF THE MUNICIPALITY TO SERVE AS INDEPENDENT ARBITRATION PANEL MEMBERS FOR THE 2015 SEWER ASSESSMENT OBLIGATION, AS FOLLOWS: WILLIAM PEIRCE, MARISSA DAY, CRAIG WILSON, JEFF BRAKE, VERN GARDNER, AND SHAWN HARRIS, WITH GRATITUDE, SECONDED BY COUNCILOR WHITE.

Maryann Place, Town Clerk, replied to Councilor Dennett's question that both applicants, Marissa Day and Shawn Harris, will be sent copies of the three sets of documentation for the hearings via e-mail.

Councilor Dennett expressed minor concern that only one out of six citizens' properties are serviced by Town sewer.

THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 7/0/0.

14. COUNCILOR ISSUES OR COMMENTS

Chairperson Beers praised Charlie Simpson, Ed McAbee, and Mike Lee for hiking a 110-mile trek to raise awareness and money for Fair Tide, a non-profit organization that provides transitional housing and support services. The individuals raised \$11,984, nearly \$2,000 above their goal of \$10,000.

Chairperson Beers replied to Councilor Dennett's query that Town Manager Granfield's last regular meeting will be on October 24, 2016. Ms. Amaral will be present for that meeting.

Councilor Thomson asked for the status on the suggestions made by the auditor for the accounting changes related to the Assessment collections. Town Manager Granfield replied that the auditor and the TIF individual are still gathering information and are expected to have another meeting soon.

Councilor Thomson asked for the status of the amendments to Title 2. Town Manager Granfield replied that upon further review, there were several changes from other departments that still need to be refined. It was thought that it will continue to move forward with the new Town Manager.

Councilor Thomson asked if information about the Neighborhood Network could be posted on the Town and Kittery Community Center websites. Town Manager Granfield explained that staff is currently working to update the website and have yet to make any new changes, but it will be considered in the future.

Councilor Thomson expressed concerns raised regarding the conduct of the Port Authority meeting on October 6, 2016. The vote on the motion to go into executive session was not a roll call and adjournment of the meeting occurred in that session.

Councilor Thomson asked for further clarification of Vice Chairperson Denault's statement made at Candidate's Night that some councilors at times do not prepare for meetings. Vice Chairperson Denault replied that the statement was made in reference to a time period when there were different councilors than today and before agenda materials were made available online.

Vice Chairperson Denault stated that a citizen submitted a check in full for their sewer betterment assessment about one month ago and it has still not been cashed.

Vice Chairperson Denault noted his observations that a swampland on Route 236 shows evidence of being filled.

Vice Chairperson Denault provided a brief update of the efforts to mitigate drainage issues at 6 Stevenson Road. The road was repaved and the shoulder was filled with loam, however, it continues to experience issues with proper drainage. He asked if Mr. Kathios would follow up with the situation.

Vice Chairperson Denault stated there have been complaints received about the Spruce Creek Bridge. Besides the littered sidewalks from fishing activity, there have been complaints made regarding the fisherman directing boats to travel on the other side of the bridge. He suggested that a red zone in the middle of the bridge could be delineated to help separate the boating traffic from the fishing activity.

Chairperson Beers replied to Vice Chairperson Denault's question that the Fort Foster passes for seniors will be discussed in the upcoming Council workshop on Monday, October 17th.

Vice Chairperson Denault encouraged all to donate to the End 68 Days of Hunger non-profit organization by leaving a canned good or non-perishable item at the entrance of Town Hall.

Councilor Spiller observed exceeding speeds at the Wyman Avenue from the PNSY traffic and asked whether a patrol officer could closely monitor that area. Chairperson Beers echoed that statement.

Councilor Lemont commended Town Manger Granfield for all her efforts.

Councilor Lemont noted that the State has been working toward a resolution to address the vehicle speeds on Rte. 103.

Councilor Lemont mentioned that the Port Authority considered discontinuing the working group and had recommendations for Council.

Councilor Lemont received various complaints regarding the PNSY traffic on Rogers Road.

Councilor Thomson added that the PNSY traffic should continue to be a major issue until the new SML Bridge opens next September. He expressed concerns for the high speeds he has observed. Chairperson Beers suggested having police monitor speeds by radar.

15. COMMITTEE AND OTHER REPORTS

a. Communications from the Chairperson

The Kittery Port Authority on October 6, 2016 requested Council to consider rescission of the MOU established in 2011. It will be put forth on the October 24, 2016 agenda. They concluded that they do not wish to continue the Port Authority-Council working group and request the opportunity to meet quarterly on an as-needed basis with an agenda developed by both Chairs. A workshop is scheduled for October 20, 2016 at 6:00 p.m. to consider a draft intergovernmental MOA regarding the position of the Harbormaster and the Town. Water use fees will also be

discussed.

The Council will hold a workshop with the Parks Commission on Monday, October 17, 2016 at 6:00 p.m. to discuss park fees.

b. Committee Reports – None.

16. ADJOURNMENT

A MOTION WAS MADE BY COUNCILOR THOMSON TO ADJOURN THE MEETING AT 7:46 P.M., SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 7/0/0.

Submitted by Marissa Day, Minutes Recorder, on October 17, 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>.