

1. Call to Order

Chairperson Beers called the meeting to order at 7:00 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, Judith Spiller, and Jeffrey Thomson.

Absent from the roll call was Vice Chairperson Charles Denault.

5. Agenda Amendment and Adoption

Chairperson Beers noted that Item 10a, Item 10b, Item 13c, and Item 13d were withdrawn due to questions that were raised.

Chairperson Beers requested that Item 13a be revised to insert “to be deposited into Account #111-43530, Miscellaneous Revenue” after the word “Yankee parks”.

Agenda was adopted, as amended.

6. Town Manager’s Report

Town Manager Granfield reviewed her written report.

**Sewer Betterment Assessments** – Several Town departments have been significantly involved in scheduling upcoming meetings, establishing payment systems for residents, and educating residents on the process, timeline, and requirements for sewer assessments. Full payments and payment plans are currently being accepted. Any individual who requested a deferral option will receive a response soon and there will be meetings scheduled to provide additional information regarding those hearings.

**CGI Communications** – CGI Communications has contacted the Town to offer their services. The company specializes in economic development and tourism to produce online videos of communities that interface with a municipal website. York County and several other Maine communities in the area utilize their services and there would be no cost to the Town. CGI Communications would like to know if the Town would move forth now or in the Spring. Town Manager Granfield will provide further information to the new Town Manager.

**Title 4 Committee** – Staff felt that it would be best to reschedule the September 27<sup>th</sup> meeting with the Title 4 Committee since a couple Councilors could not attend and until the new Town Manager begins.

**Transition** – The new Town Manager will take place the week of October 24<sup>th</sup> and Town Manager Granfield will provide new information as they arise to keep her updated.

**Traffic** – There continues to be discussion with MDOT, Police, and DPW regarding traffic issues related to the SML Bridge and the PNSY. One recent light timing issue at Haley Road and Route 1 was resolved by replacing a sensor.

Town Manager Granfield reviewed items not included in her written report.

**Promotion** – Tim Rowell from the Wastewater Treatment Department was promoted to Operator I.

**Interim Harbormaster** – The Port Authority appointed a new Interim Harbormaster, Scott Alessio, on a part-time basis.

**Part-time Secretary Position** – The new Part-Time Secretary, Rachel Cook, began September 26<sup>th</sup> and will be staffed from Monday-Thursday from 8:15-3:45pm.

**Safety Program** – The safety program that the Human Resources Manager initiated was evaluated by MMA and received positive feedback. As a result, the Town will save \$15,000 in worker's compensation. Town Manager Granfield applauded Betsy Oulton for her efforts.

Councilor Thomson asked what the status of the DPW Foreman vacancy is. Town Manager Granfield replied that there is an internal employee filling the vacancy in the interim and DPW is currently reviewing applications for the permanent position.

7. Acceptance of Previous Minutes

Regular Meeting – September 12, 2016

Councilor Dennett abstained from voting on the minutes due to his absence in the September 12<sup>th</sup> meeting.

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)

Town Clerk, Maryann Place, indicated that the deadline for Council nominations was September 26<sup>th</sup>. The candidates for Town Council are Russell White, Jeffrey Pelletier, and Charles Denault. The candidates for the School Department are Kimberly Bedard, Julie Dow, Rhonda Pomerleau, and Faye Gourlie. There are three positions available for the School Board and two positions available for Town Council.

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

(090416-3) The Kittery Town Council moves to accept a donation in the amount of \$60.00 from Kenneth M. Bonnell for the Thresher Memorial Fund to be deposited in account #5007-43600 Thresher Memorial Fund.

**A MOTION WAS MADE BY COUNCILOR WHITE TO ACCEPT A DONATION IN THE AMOUNT OF \$60.00 FROM KENNETH M. BONNELL FOR THE THRESHER MEMORIAL FUND TO BE DEPOSITED IN ACCOUNT #5007-43600 THRESHER MEMORIAL FUND WITH THANKS, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

(090416-4) The Kittery Town Council moves to accept a donation in the amount of \$4,500 from the Kittery Block Party Committee for the Community Center to be deposited in account #2063-43600 KCC Fund Raising Account.

**A MOTION WAS MADE BY COUNCILOR WHITE TO ACCEPT A DONATION IN THE AMOUNT OF \$4,500 FROM THE KITTERY BLOCK PARTY COMMITTEE FOR THE COMMUNITY CENTER TO BE DEPOSITED IN ACCOUNT #2063-43600 KCC FUND RAISING ACCOUNT WITH THANKS, SECONDED BY COUNCILOR SPILLER. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

(090416-5) The Kittery Town Council moves to accept a donation of \$25,181.45 for Rectangular Rapid Flashing Beacons from Yankee Parks to be deposited into Account #111-43530, Miscellaneous Revenue and approves the installation of the RRFB at the suggested locations at a cost not to exceed the gift amount.

**A MOTION WAS MADE BY COUNCILOR WHITE TO ACCEPT A DONATION OF \$25,181.45 FOR RECTANGULAR RAPID FLASHING BEACONS FROM YANKEE PARKS TO BE DEPOSITED INTO ACCOUNT #111-43530, MISCELLANEOUS REVENUE AND APPROVES THE INSTALLATION OF THE RRFB AT THE SUGGESTED LOCATIONS AT A COST NOT TO EXCEED THE GIFT AMOUNT WITH THANKS, SECONDED BY COUNCILOR SPILLER.**

Councilor Thomson clarified that the gift is coming from an entity that has had a project expansion approved by the Planning Board. Chairperson Beers concurred.

**THE MOTION WAS AMENDED BY COUNCILOR WHITE TO REPLACE YANKEE PARKS WITH STEPHEN A. HYNES, SECONDED BY COUNCILOR SPILLER.**

Town Manager Granfield explained that the Finance Director indicated the funds would go into the miscellaneous revenue account and then moved into an expenditure account once the funds are released.

**THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

- b. (090416-6) The Kittery Town Council moves to approve the disbursement warrants.

Town accounts payable of \$172,458.39.  
Sewer account payable of \$7,414.09.  
School accounts payable of \$115,320.71.  
Total of all disbursement warrants of \$295,193.19.

Councilor Dennett 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 THOMSON TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

- e. (090416-9) The Kittery Town Council moves to approve a renewal application from Kittery Foreside Inc., 60 Wallingford Square, Kittery for a Malt, Spirituous and Vinous Liquor License for Anneke Jans, 60 Wallingford Square.

**A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A RENEWAL APPLICATION FROM KITTERY FORESIDE INC., 60 WALLINGFORD SQUARE, KITTERY FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR ANNEKE JANS, 60 WALLINGFORD SQUARE, SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

- f. (090416-10) The Kittery Town Council moves to approve a one day extension of the service area of the premises externally on the current liquor license for The Black Birch, from 12:00 p.m. to 10:00 p.m. on October 23, 2016, for the Fuel & More annual fund raiser.

**A MOTION WAS MADE BY COUNCILOR THOMSON TO APPROVE A ONE DAY EXTENSION OF THE SERVICE AREA OF THE PREMISES EXTERNALLY ON THE CURRENT LIQUOR LICENSE FOR THE BLACK BIRCH, FROM 12:00 P.M. TO 10:00 P.M. ON OCTOBER 23, 2016, FOR THE FUEL & MORE ANNUAL FUND RAISER, SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

- g. (090416-11) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Parks Commission to interview George Dow for his appointment to that board as an associate member until 12/31/19.

**A MOTION WAS MADE BY COUNCILOR SPILLER TO APPOINT COUNCILOR DENNETT TO MEET WITH THE CHAIR OF THE PARKS COMMISSION TO INTERVIEW GEORGE DOW FOR HIS APPOINTMENT TO THAT BOARD AS AN ASSOCIATE MEMBER UNTIL 12/31/19, SECONDED BY COUNCILOR LEMONT. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

- h. (090416-12) The Kittery Town Council moves to authorize Fuel & More to hang a banner across Rogers Road from September 26th to October 23rd, 2016 to advertise their fund raiser event at the Black Birch.

**A MOTION WAS MADE BY COUNCILOR WHITE TO AUTHORIZE FUEL & MORE**

**TO HANG A BANNER ACROSS ROGERS ROAD FROM SEPTEMBER 26TH TO OCTOBER 23RD, 2016 TO ADVERTISE THEIR FUND RAISER EVENT AT THE BLACK BIRCH, SECONDED BY COUNCILOR THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

i. (090416-13) The Kittery Town Council moves to authorize the Traip Athletic Boosters to hang a banner across Rogers Road from November 1st to November 12th, 2016 and to place signs throughout town from October 31st to November 12th, 2016 to advertise the 8th Annual Traip Athletic Boosters Craft Fair.

**A MOTION WAS MADE BY COUNCILOR WHITE TO AUTHORIZE THE TRAIPT ATHLETIC BOOSTERS TO HANG A BANNER ACROSS ROGERS ROAD FROM NOVEMBER 1ST TO NOVEMBER 12TH, 2016 AND TO PLACE SIGNS THROUGHOUT TOWN FROM OCTOBER 31ST TO NOVEMBER 12TH, 2016 TO ADVERTISE THE 8TH ANNUAL TRAIPT ATHLETIC BOOSTERS CRAFT FAIR, SECONDED BY COUNCILOR LEMONT. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

j. (090416-14) The Kittery Town Council moves to schedule a date for a Sewer Assessment Hearing.

Chairperson Beers noted that there were two individuals that would like to request a hearing, but were unable to file within the original deadline. Also, other individuals thought the filing deadline was September 19<sup>th</sup>. The motion would be to allow for a second hearing for those individuals. He suggested that the filing deadline be October 11, 2016 at 4:00pm. The Council reached consensus that if a small number of requests are received, then include them in the next regular Town Council meeting. If more there are too many to fit into the regular meeting agenda, then a separate special meeting would be held.

Councilor Thomson asked what rationale was provided by those individuals that did not know of the September 19<sup>th</sup> deadline. Chairperson Beers stated he was told the information was not publicized enough and the letter received did not indicate a deadline for the requests. Some individuals appeared at the September 19<sup>th</sup> meeting with the understanding that they would receive a hearing. He thought that the motion is a fair consideration and would help to maintain transparency.

Town Manager Granfield suggested that additional information could be disseminated regarding the various considerations for hearing requests, which are indicated on the filing form. Chairperson Beers supported that notion.

Chairperson Beers clarified to Councilor Dennett that the hearings would be scheduled for October 12, 2016 once the deadline has passed and all requests could be held in the regular meeting.

k. (090416-15) The Kittery Town Council moves to sign the Municipal Warrant for the November 8, 2016, Municipal Election.

**A MOTION WAS MADE BY COUNCILOR THOMSON TO SIGN THE MUNICIPAL WARRANT FOR THE NOVEMBER 8, 2016, MUNICIPAL ELECTION, SECONDED BY CHAIRPERSON BEERS. THE MOTION PASSED BY A UNANIMOUS ROLL**

**CALL VOTE 6/0/0.**

**14. COUNCILOR ISSUES OR COMMENTS**

Councilor White announced that the Comprehensive Plan Update Committee is in the midst of conducting a review of the first draft chapters. The Implementation Plan will be presented for public input on Thursday, November 3, 2016 from 6:00-8:30 PM at the STAR Theatre.

Councilor Lemont asked if Mr. Provencal's concern regarding the drainage issue stated at the September 19<sup>th</sup> meeting was addressed by staff. Town Manager Granfield noted that coordination has been had with both a contractor and Mr. Provencal. Changes were made as recent as two weeks ago, however, she understood that Mr. Provencal still has concerns. She noted that gravel was placed and the mail delivery truck drives through the area, which spreads the gravel.

**15. COMMITTEE AND OTHER REPORTS**

**a. Communications from the Chairperson**

Amongst the three boards, there were only three volunteers at the time of the meeting for the citizen arbitration panel. If at least six citizens are not formed, the Town would have to request the Town Attorney to petition to superior court for further guidance since it is a State mandate.

An executive session will be held Monday, October 3, 2016 at 5:00pm to discuss land acquisition.

The next regular Town Council meeting will be held on Wednesday, October 12, 2016 due to the federal holiday.

**b. Committee Reports**

Councilor Thomson asked if the slot held for the Planning Board on October 3<sup>rd</sup> is not going to occur. Chairperson Beers concurred.

Councilor Thomson noted that the renovations in the Kittery Community Center annex that begin in the summer is almost complete. All tenants that were temporarily relocated are back in the annex. There are people working on constructing the new TV broadcasting center. After the construction begins, the S.A.F.E program and Head Start will be relocated into the annex behind a secured wall. The KCC Board has discussed hosting a celebration around next May for their 5<sup>th</sup> anniversary and an open house for the annex.

Councilor Thomson noted that the previous KCC Board meeting included a presentation from Revision Energy to offer affordable solar power to non-profits and municipalities. The Board will explore options that may be available for the KCC.

Councilor Spiller announced that the York River Study Committee is having a meeting on September 27<sup>th</sup> at the Grand House. The Committee will be conducting a presentation on Monday, October 24 in Council Chambers regarding the Committee's effort for the public, Council, Conservation Commission, and Comprehensive Plan Update Committee.

**16. EXECUTIVE SESSION**

a. (090416-18) The Kittery Town Council moves to go in to executive session with the Town Manager in accordance with 1 M.R.S §405 (6) (A) to discuss a personnel matter.

**A MOTION WAS MADE BY COUNCILOR SPILLER TO GO IN TO EXECUTIVE SESSION AT 7:32 P.M. WITH THE TOWN MANAGER IN ACCORDANCE WITH 1 M.R.S. §405 (6) (A) TO DISCUSS A PERSONNEL MATTER, SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

**A MOTION WAS MADE BY COUNCILOR LEMONT TO COME OUT OF EXECUTIVE SESSION AT 8:01 P.M., SECONDED BY THOMSON. THE MOTION PASSED BY A UNANIMOUS ROLL CALL VOTE 6/0/0.**

17. ADJOURNMENT

**A MOTION WAS MADE BY COUNCILOR THOMSON TO ADJOURN THE MEETING AT 8:02 P.M., SECONDED BY COUNCILOR WHITE. THE MOTION PASSED BY A UNANIMOUS VOICE VOTE 6/0/0.**

Submitted by Marissa Day, Minutes Recorder, on October 3, 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>.*