

**Kittery Town Council
Regular Meeting – Council Chambers
January 22, 2018**

1. Call to Order: Chairperson Lemont called the meeting to order at 6:00 p.m.
2. Introductory: Chairperson Lemont read the introductory.
3. Pledge of Allegiance: Chairperson Lemont led all present in the Pledge of Allegiance.
4. Roll Call: Answering the roll were Councilors Frank Dennett, Jeffrey Pelletier, Jeffrey Thomson, Matthew Brock, Gary Beers, Vice-Chairperson Charles Denault and Chairperson Kenneth Lemont.
5. Agenda Amendment and Adoption: Chairperson Lemont cast one vote for acceptance as presented
6. Town Manager's Report: Kendra Amaral updated Council on where they are with the FEMA Flood Insurance Rate Maps, which are currently in draft form. She said they have engaged Ransom which is developing a model of where the flood maps should be. She said originally, the FEMA appeal process to the revised Flood Insurance Rate maps would begin in late November-early December, but she has recently learned that FEMA is doing additional updates to the maps and the appeal process will be later on. She said that they are going forward with Ransom, which is developing an alternative model which will transfer to the specific areas of Kittery.

Town Manager Amaral said Council has made available \$20,000 for the work. She said they recently sent letters to the residents impacted by the Flood Zone maps, as a follow-up to the letters initially sent in 2014, asking residents to contribute or donate. She said at that time, some residents made pledges, but no money had been collected. She said there was one \$500 donation since the follow-up letters were sent out last week. She said Phase 1 will cost approximately \$36,000. She has received confirmation that Portland has joined the effort, which has reduced the cost to \$30,000.

Town Manager Amaral said Ransom recommended including data from the storm, "Grayson," the third largest storm on record. She said the cost of \$1,500 will be added per community. She said currently Ransom is doing a survey of the communities, and there are seven, to see if we are in agreement with that. Ransom is recreating the conditions that happened with Grayson and that has been included in their model. She said they will have to check transfers at the end of the fiscal year to make up the difference for the cost of Phase 1 and the \$20,000.

Town Manager Amaral said that Councilor Beers had asked about the Community Rating System score, which is like the ISO program that is with other general home owner insurance and offers discounted flood rates for the Town of Kittery. She said she found out that Kittery has not participated in the program, but she put in a request to get the application for the program, which will lower the overall rates for Flood Insurance.

Town Manager Amaral updated Council on the Pavement Management Program and said that she has included the Pavement Management Plan in Council's packets, which lists streets that the Town will be focused on over the next five years. She said years 1-3 cost \$1.2 million dollars for local streets and the total cost for pavement projects will be \$2.6 million dollars over the next five years. She said they are working with the CIP Committee to build into that plan scheduling for these projects.

Town Manager Amaral said they will be doing work over the next few weeks on the Sound System in the Council Chambers. She said they will be working with Randy to capture more sound and thanked him for the new microphones. She reminded everyone to speak into the microphones.

Town Manager Amaral said the Police Dept. launched the Vehicle Registration Enforcement Program in August, which included public service announcements. She said the police have conducted internal compliance checks at School drop-off and pick-up during the first weeks of school, and the number of vehicles stopped, with out-of-state registrations, from August through November increased significantly for vehicles with out-of-state plates; however, half of the number of citations, warnings and summons for out-of-state registration violations were issued in comparison to the prior year.

Town Manager Amaral said Chief O'Brien has been spearheading the town's efforts to develop a plan for the LED Street Light Conversion. She said the town has 641 street lights, which would lower the electrical demand by 63%. She said for implementation would be approximately \$450,000. She said Chief O'Brien has been in touch with the Eliot Energy Committee and a collaborative purchase by both communities may not be advantageous, but conversations are still on-going.

Town Manager Amaral said Tax Bills are due Feb. 15th and read some upcoming dates of events.

Councilor Brock asked with respect to FEMA, how many property owners have been impacted by this change?

Town Manager Amaral answered 58.

Councilor Brock wanted to know if Ransom has reached any preliminary conclusions to dispute the FEMA flood maps, or is it too early to tell.

Town Manager Amaral replied they are based on FEMA and their water surge is 2-3 ft. higher are higher than what Ransom has created. She said that FEMA is double counting the wave set up and Ransom's model that they are not doing the actual water level is 2-3 ft. lower than what FEMA is projecting.

Councilor Brock asked do we know how many people will benefit.

Town Manager Amaral replied they will not know until they get to Phase 2 and apply to Kittery.

7. Acceptance of Previous Minutes: Chairperson Lemont cast one vote to accept the minutes of January 8, 2018 as amended.

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:

(010318-1) The Kittery Town Council moves to hold a public hearing and hereby ordains amendments to Title 2, Administration and Personnel – Lead Dispatcher of the Kittery Town Code.

Chairperson Lemont asked the Town Manager to share a little information with Council.

Town Manager Amaral said they negotiated with the union, as part of the Dispatcher Contract to add the position of Lead Dispatcher. She said the position, in regard to the hierarchy, is above the Line Dispatcher, and we made sure we were meeting the requirements for operation.

Town Manager Amaral said to strike line 39, the word “duties” which they felt wasn’t necessary and asked that Council consider that change with their approval.

Chairperson Lemont opened the public hearing at 6:17 p.m. and asked if any members of the public would like to speak to, for or against the amendment. Hearing none, he closed the public hearing at 6:18 p.m.

COUNCILOR THOMSON MOVED THAT, PURSUANT TO TITLE 30-A, M.R.S. 3001, 2.14 OF THE TOWN CHARTER, TITLE 2, ADMINISTRATION AND PERSONNEL, THE KITTERY TOWN COUNCIL HEREBY ORDAINS AMENDMENT TO ADD LEAD DISPATCHER, AS PRESENTED AND PUBLICLY HEARD THIS EVENING, WITH DELETION ON THE MATERIAL BEFORE US. COUNCILOR BEERS SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN, 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

11. DISCUSSION
 - a. By members of the public }
 - b. Response to public comment directed to a particular Councilor } none
 - c. Chairperson’s response to public comments }

12. UNFINISHED BUSINESS

(010118-9) The Kittery Town Council moves to sign a Release Deed, releasing tax liens to Robert Mason, for property located at 34 Stevenson Road, Kittery, Maine, identified as Assessor’s Tax Map 29, Lot 27, to be effective 1/8/18.

Chairperson Lemont apologized, but Council had taken action on January 8th, but he failed to get a motion and a second. He said they did a roll call.

COUNCILOR THOMSON MOVED THE ACTION PERTAINING TO THE RELEASE DEED, VOTED ON JANUARY 8, 2018 BE MOVED AND APPROVED, SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN, 7-0 AND VOTED SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

13. NEW BUSINESS

a. Donations/gifts received for Council disposition

(010318-2) The Kittery Town Council moves to accept the following:

- \$500 from James L. and Elizabeth B. Gamble to be deposited in account #2063-43600 Kittery Community Center
- \$100 from Karyn De Nicola to be deposited in account #2082-43600 KCC Playgrounds

COUNCILOR THOMSON MOVED TO ACCEPT THE GIFT OF \$500 FROM JAMES AND ELIZABETH GAMBLE BE PLACED IN ACCT. #2063-43600 KITTEY COMMUNITY CENTER AND THE \$100 GIFT FROM KARYN DE NICOLA BE DEPOSITED IN ACCT. # 2082-43600 KCC PLAYGROUNDS, WITH THE APPROPRIATE THANK YOU'S SENT TO THE INDIVIDUALS, SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN, 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

b. (010318-3) The Kittery Town Council moves to approve the disbursement warrants.

Chairperson Lemont asked Councilor Beers if the Town and Sewer warrants were in due form. Councilor Beers replied yes.

Chairperson Lemont asked Councilor Pelletier if the School warrant was in due form. Councilor Pelletier responded yes.

COUNCILOR THOMSON MOVED THAT THE DISBURSEMENT WARRANTS: TOWN PAYABLE IN THE AMOUNT OF \$315,805.28, SEWER PAYABLE, IN THE AMOUNT OF \$4,947.52 AND SCHOOL PAYABLE IN THE AMOUNT OF \$57,738.39, BE PAID AS REVIEWED. COUNCILOR PELLETIER SECONDED THE MOTION. ALL WERE IN FAVOR, BY A VOICE VOTE, AYE,, 7-0. SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

c. (010318-4) The Kittery Town Council moves to schedule a public hearing to transfer Other Funds between accounts.

COUNCILOR THOMSON MOVED TO SCHEDULE THE DATE OF FEBURARY 12, 2018 FOR THE PURPOSE OF SAID PUBLIC HEARING, SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN AND VOTED 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

d. (010318-5) The Kittery Town Council moves to adopt the Town Council's 2018 goals.

COUNCILOR THOMSON MOVED TO ADOPT THE TOWN COUNCIL 2018 GOALS, SECONDED BY COUNCILOR BEERS.

Discussion: Councilor Brock wanted to know if it applied to both the Council's and the Town Manager's goals. He said, in reference to Rice Public Library becoming a town department, which he agreed, but it does not mention the disposition of the Taylor Building. He suggested that this be added and that the same addition be made on the Town Manager's goals.

Councilor Dennett said that he cannot buy into this progressive and visionary concept.

ROLL CALL VOTE WAS TAKEN AND VOTED 6-0-1, SIX IN FAVOR, NONE OPPOSED, ONE ABSTENTION (COUNCILOR DENNETT). MOTION CARRIES.

e. (010318-6) The Kittery Town Council moves to adopt the Town Manager's 2018 goals.

COUNCILOR BROCK MOVED THAT LINE 19 OF THE TOWN MANAGER'S GOALS BE AMENDED TO INCLUDE: AFTER BECOMING A TOWN DEPARTMENT, DISPOSITION OF THE TAYLOR BUILDING AND CONTINUE AS WRITTEN, SECONDED BY COUNCILOR THOMSON. ROLL CALL VOTE WAS TAKEN ON THE TOWN MANAGER'S GOALS WITH THIS CHANGE, AND VOTED 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

Chairperson Lemont said we did not have a main motion on the Town Manager's goals to amend and asked how were we going to fix this.

Councilor Beers asked if he could comment and, with Chairperson's approval, said he was curious why their parliamentary procedure expert did not challenge that point.

Councilor Dennett asked if he could respond. Chairperson Lemont replied yes.

Councilor Dennett said that some people have been spoken to by the Chair not to give him a tough time.

Councilor Thomson said that Council had no problem with the language addition made by Councilor Brock and their vote was on the Town Manager's goals with a slight change.

Chairperson Lemont asked the Recording Secretary to capture what Councilor Thomson just said.

Councilor Dennett said that, referencing lines 29 and 30, Workers' Compensation costs, line 30 says Mod Rate, which should be corrected to Experience Modification factor, not rate. He said he will not move it because someone can just plug it in.

Councilor Thomson said it is a technical correction and does not impact the action of the Council.

Chairperson Lemont said duly noted.

f. (010318-7) The Kittery Town Council moves to adopt the Town and School FY '2019 budget goals.

COUNCILOR THOMSON MOVED TO ADOPT THE TOWN AND SCHOOL FY'19 BUDGET GOALS AS PRESENTED, SECONDED BY COUNCILOR BEERS. ROLL CALL VOTE WAS TAKEN AND VOTED 7-0, SEVEN IN FAVOR, NONE OPPOSED, MOTION CARRIES.

14. COUNCILOR ISSUES OR COMMENTS

Councilor Thomson said last June, when Council acted on the FY'18 budget, there was discussion about the need to start looking at Fire Dept. staffing moving forward. He said the Town Manager

would begin to gather data and work with the Fire Chief and perhaps the Police Chief. He wanted to know, to that end, if anything has transpired since then?

Town Manager Amaral replied that the Fire Chief has pulled together data, based on the needs, and he continues to monitor, including plans for a Pilot Firefighter program.

Vice-Chairperson Denault wanted to mention the following people who have passed away recently: Betty Adams, Sally Orcutt, Dana Hoyt, a member of the Eliot Fire Dept. and the North Berwick Police Dept. for many years, Lawrence Casey, Roger Kenney, who worked at the Transfer Station, and Albert Crawford, Chair of the School Committee for many years. He said that their thoughts and prayers are with the families over their loss.

15. COMMITTEE AND OTHER REPORTS – none
 - a. Communications from the Chairperson
 - b. Committee Reports

Councilor Beers said that the CIP has concluded their review of the submitted forms from the Departments and will be meeting the day after tomorrow. He said it appears to be in good shape to pass along for consideration on February 12th.

16. EXECUTIVE SESSION – none

17. ADJOURNMENT

COUNCILOR THOMSON MOVED TO ADJOURN THE MEETING AT 6:33 P.M. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION. SEVEN IN FAVOR BY A UNANIMOUS VOICE VOTE. MOTION CARRIES. MEETING ADJOURNED.

Respectfully submitted,

Barbara Boggiano
Recording Secretary

Approved 2/12/18