

**Kittery Town Council  
May 14, 2018  
Regular Meeting – 6 p.m.  
Council Chambers**

1. Call to order: Chairperson Lemont called the meeting to order at 5:00 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:

**COUNCILOR DENNETT MOVED, DUE TO SPECIAL CIRCUMSTANCES, TO SUSPEND COUNCIL RULES, PARTICULARLY SECTION ONE, TO AMEND THE START TIME FOR COUNCIL PROCEEDINGS FROM 6:00 P.M. TO 5:00 P.M., SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, MOTION CARRIES.**

Councilor Dennett asked if the Chairperson was going to move an amendment?

Chairperson Lemont said he would move the public hearings, #10 a-c, to 6:00 p.m. He thanked his fellow Councilors for being available earlier this evening so that any one who chooses to do so may attend the visiting hours for Milton Hall, long-time, dedicated citizen of the community.

Chairperson Lemont asked if there were any other adjustments and, seeing none, cast one vote to accept the agenda as amended.

6. Town Manager's Report: none
7. Acceptance of Previous Minutes: none
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.

(050218-1) The Kittery Town Council moves to receive a presentation from the Town Manager on the Municipal Budget.

Town Manager Amaral said she would go through the details of the proposed FY'19 budget, but the actual budget submitted, with line items, is in the Council's packets. She said she will do an overview and first spoke to goals which are adopted every year for both the Town Council and the Town Manager. She said her goal is to present a strictly balanced budget, justifiable and appropriate to include the stabilization of the tax rate. She said the annual goals do not include the School Dept. but support long-term planning and growth management objectives, sewer enhancement, financial stability for the library and continue to improve the organization's efficiency, increase public awareness and advance ongoing initiatives.

Town Manager Amaral said she met with Supt. Waddell and talked about the increase on the mill rate. She said they have to develop budgets mindful as to what it does to our taxpayers. She said the mill rate is the figure she needs to be at and the Superintendent understood. She said valuation is extremely important to maintain an affordable and sustainable tax rate.

Town Manager Amaral said she went with Southern York communities with similar services and our budget is comparable to theirs. She said they are all doing the same things regarding dollar value. She was asked why is the Wells tax rate so low? She replied because their valuation is higher and when the valuation is higher, the tax rate goes down. She said the property values' projected increase is \$12 million dollars. She said vacant land increased in value but commercial use is on the rise in Kittery and residential dropped in the last year.

Town Manager Amaral said the value they assess on taxes on 89% they will have to adjust within the next coming year. She said they need appropriate economic development in order to reduce the burden on the taxpayers. She said that only 71 of the properties are on the market in Kittery, and the price goes through the roof. She said they need to address that and make it affordable so people can stay here. She said she will not be able to do it in this kind of growing home value.

Town Manager Amaral said they need to offset the TIF districts and removed money from the Public Safety Impact Fund to address this, which historically has been over-budget. She said other factors include: they have been investing in local roads and there is a \$200,000 increase in roads; advance on-call program with the Fire Dept. and developing options to resolve the Sewer Enterprise Fund challenges. She said \$100,000 has been deducted from the CIP budget to start the design for the library.

Town Manager Amaral said that 65% of the municipal revenue comes from property taxes and they need more non-property tax revenue coming to support the FY'19 budget. She showed the breakdown of revenue allocated from property taxes. She said there is a 9.58% increase in non-property tax revenues. She said the Rec. Dept. programs are in demand and the revenue is \$107,645.

Town Manager Amaral said the interest coming in, due to the new investment policy, is \$19,000. She said non-recurring funds are being proposed, but to do so judiciously and they are trying to manage expenditures for FY19.

Town Manager Amaral said there is a growing balance in their Channel 22 PEG Fund, nearly one half-million dollars. She said they overstated the tax rate and let the money continue to grow. She said the money they get off of Comcast cable. She said they have added a 2 ½ % cap on their bills. She said the recording funds are going into another fund and growing. She said she has been talking with Randy to see what they can do with that. She said they did adopt a policy to keep \$200,000 in the fund to keep up with the systems and everything they need.

Town Manager Amaral said they are taking \$50,000 from the Kittery Port Authority Facilities Reserve Acct. and will be funding that {project} in a Warrant Article.

Town Manager Amaral showed Council a chart on allocated capital expenses and explained that FY'19 reflects two years' worth of COLA in the wages line and limited increases. She said shared expenses were put into one budget. She said medical, retirement, insurance, and retired employee benefits were taken out of individual budgets. She said \$319,813 increase is non-discretionary as she has to have coverage for employees. She said the biggest budget increase of \$115,130 for medical includes changes in the plan. She said there hasn't been a change in personnel, just additional hours for 2 staff.

Town Manager Amaral said the Retired Employees line increased to \$77,459; Administration \$57,191 and Debt & Interest decreased to \$21,127. She said there were no changes to staff in the Sewer Dept. but Building & Grounds and Miscellaneous Expenses decreased to \$47,008.

Town Manager Amaral said with regard to the TIF Reserve Acct., the money can only be used for those properties within the TIF district. She said that the online permitting program is up and running and Planning and Code Enforcement saw an increase \$47,487. She said the Assistant Town Planner role will be vacant (\$30,604) and they have contracted for Assessing Services – an increase of \$1,671.

Town Manager Amaral said they are working on recodification for Title 16 to include the Mall Road corridor redevelopment. She said there is an increase in Fire Dept. \$28,004 for a new on-call program which would make sure that we have sufficient people able to respond during weeks or days where it is difficult to get firefighters. She said the line for the Police Dept., has increased exponentially to \$110,513 and they have historically spent more money in overtime. She said the DEA overtime will be decreasing as the town will be out of the arrangement in September. She said the outside entities are reflected only for those events not requested by town entities.

Town Manager Amaral said the Public Works Dept. shows an increase to \$93,323 – which includes additional seasonal employees, maintenance and monitoring enforcement at Fort Foster. She said the seasonal position has been filed and the impact on this budget is \$16,239 which includes benefits. She said under Resource Recovery, there has been an increase in recyclable waste to \$11,000 and she indicated that on the “Revenue vs. Expenses” chart as not meeting expenses.

Town Manager Amaral said the Kittery Community Center reflects an increase of \$28,966 which is anticipated due to Janice Grady’s retirement. She said the KCC is doing well with revenue meeting expenses.

Town Manager said there is a \$725 decrease in the Harbormaster/Kittery Port Authority line items. She said she is reversing her position and it is not appropriate for one person to be at the facility collecting fees and making sure people are following the rules 24/7. She said they are increasing staffing with the Assistant Harbor Master and a dock master to help out when needed. She said \$50,000 will be received from the United States to replace the Government Street pier.

Town Manager Amaral said they will be having a workshop to talk about Sewer rates but she has put in the current rates, but they will be seeing a \$448,998 deficit in this coming year for the Enterprise Fund.

Town Manager Amaral showed the “Wrap Up” and said the property tax levy increase is \$351,662 and the \$142,975 is below LD-1 limit and \$16.99 is the projected mill rate and will go down if the valuation comes in higher. She said the projected annual increase is \$161, based on the average home valuation or 2.9%.

Town Manager Amaral thanked the Finance Director and Department Heads, who put a lot of work into this proposed budget. She said she has gone through every line before Council and would be happy to answer questions.

Chairperson Lemont thanked the Town Manager and asked if there were any questions from Council.

Vice-Chairperson Denault said he had a question regarding the Harbor Master, through the Chair. He said he understood what happened and what is going on but, based on longevity and retirement from the Police Dept. and working as the Harbor Master, he wanted to know how did the Town Manager arrive at the salary grade and what could they anticipate with longevity with someone when retirement

kicks in, because it is his understanding that when someone retires, that wipes out the years with the town.

Town Manager Amaral replied that is not how the ordinance is written.

Vice-Chairperson Denault said the Town Manager, through negotiations had a figure, and he can deal with that. He said she addressed that anyway, right?

Town Manager Amaral replied yes.

Vice-Chairperson Denault said back in the day, when he got computers through Dell and HP, they came with the Gold Series warranty, which was built into the Government price. He said he sees \$17,000 and that Dell onsite support was free for the Gold users. He said he sees \$17,000 and wanted to know if that was still in effect? He asked wouldn't that have dropped every two years? He said it would be a lower rate and a lower rate and then back up to a higher rate to replace?

Town Manager Amaral replied the \$12,000, which makes up the majority, is for the annual service contract for the online permitting system and the remainder is not just fixing computers but also is for Tech Support. She said when they have new accounts, they have to set up the computers and they need to address those issues, so it is more Technical Support than repairing the machines.

Vice-Chairperson Denault said he did not realize that \$12,000 out of \$17,000 was earmarked for software, so \$7,000 is reasonable. He wanted to know if the rest of the computers still came out of the CIP account?

Town Manager Amaral responded that when they replace the computer systems, they do.

Vice-Chairperson Denault asked then it is totally separate?

Town Manager Amaral answered yes, we do.

Councilor Thomson said this is not a question and asked if Council would entertain a suggestion for the body, conveyed through the Chair, to the Town Manager, that in her budget presentation, she indicated a conservative valuation figure of \$16.99. He said he would like to make one adjustment and would like Council consensus. He said Council has the ability to control one individual's salary in this town. He said he believes this individual is woefully underpaid in the profession she is in and the work she has been performing.

Councilor Thomson said his suggestion is he would like to increase line item 66037, Council Expenses, from \$350 to \$15,350 to enable this body to have some leeway when we adjust that employee's salary in the Fall.

Chairperson Lemont asked Councilor Thomson what page is that on?

Councilor Thomson replied page 31.

Chairperson Lemont asked if Council was amendable to that?

Vice-Chairperson Denault said he was in.

Chairperson Lemont asked Councilor Thomson if he would like to make a motion.

Councilor Thomson replied he did not know if he can really do that.

Town Manager Amaral said they would still need to have a public hearing.

Councilor Thomson suggested and would like Council consensus to increase that line item and that amount be added to the budget.

Chairperson Lemont said he concurred.

Councilor Dennett asked what line item?

Councilor Thomson replied 66037.

Councilor Dennett wanted to know, through the Chair, how much is this being increased by?

Councilor Thomson responded \$15,000 and currently stands at \$350. He said there may be a better place to put in that sum, but this way, we can utilize it if we so choose.

Councilor Brock asked for clarification, through the Chair, that this provides flexibility for Council to increase the Town Manager's salary?

Councilor Thomson responded yes.

Councilor Pelletier said he is fine with setting aside that amount, which is no different than what our other contractors and the School Dept. does for things, for discussion. He said it would provide flexibility and they do not have to use the entire amount. He said this is simply a place holder and they can talk about an actual amount in the future.

Councilor Brock concurred.

Councilor Dennett said no.

Chairperson Lemont said to the Town Manager that the majority of Councilors concurred and to make sure that figure is added to the budget. He thanked Councilor Thomson.

Councilor Beers said they are at the no question/comment portion of the meeting but wanted to compliment the Town Manager, Finance Director and Dept. Heads for a most detailed, justifiable, well-structured, broad-scoped resolution of this historically chronic problem suffered financially in this town, ever. He thanked them very much.

Chairperson Lemont said they will be taking a five-minute recess at 5:55 p.m. and called the meeting back to order at 6:00 p.m. to address public hearings.

## 10. PUBLIC HEARINGS

a. (050218-2) The Kittery Town Council moves to hold a public hearing on the Taxpayer Relief Program.

Chairperson Lemont asked if anyone wished to speak to, for or against this item to now do so. He opened the public hearing. Seeing none, he closed the public hearing at 6:02 p.m.

**COUNCILOR THOMSON MOVED TO ACCEPT AS PRESENTED, SECONDED BY VICE-CHAIRPERSON DENAULT.**

Chairperson Lemont addressed Councilor Dennett and asked if he had some concerns.

Councilor Dennett said he would respectfully submit the motion is in order but it must be done by ordinance but that is not what is on the agenda. He said the agenda states that it is just to hold a public hearing and that has been done.

Chairperson Lemont asked Councilor Dennett if the motion and the second should be withdrawn?

Councilor Dennett replied he thought so, but he is not the leader.

Chairperson Lemont said you would never know it and that they need to withdraw the motion. He asked Councilor Dennett how they should proceed?

Councilor Dennett said that the Town Manager might like to put this on a subsequent agenda.

Chairperson Lemont said consider it done and thanked Councilor Dennett.

b. (050218-3) The Kittery Town Council moves to hold a public hearing on the application from Thomas Lynch for a Victualer's License for Tommy's Lunch Box at 99 State Road, Kittery.

Chairperson Lemont asked if anyone wished to speak to, for or against the application and opened the public hearing at 6:04 p.m. Seeing none, he closed the public hearing.

**COUNCILOR THOMSON MOVED TO APPROVE THE APPLICATION FROM THOMAS LYNCH FOR A VICTUALER'S LICENSE FOR TOMMY'S LUNCH BOX AT 99 STATE ROAD, KITTERY. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN, 7-0, WITH ALL VOTING IN FAVOR, NONE OPPOSED, MOTION CARRIES.**

c. (050218-4) The Kittery Town Council moves to hold a public hearing on the application from Bhikhabhai Patel for a Victualer's License for the 7'Eleven at 169 State Road, Kittery, Maine.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and found the establishment to be in compliance with the Town Code.

Chairperson Lemont asked if anyone wished to speak to, for or against the application and opened the public hearing at 6:05 p.m. Seeing none, he closed the public hearing.

**COUNCILOR THOMSON MOVED TO APPROVE THE APPLICATION FROM BHIKHABHAI PATEL FOR A VICTUALER'S LICENSE FOR THE 7'ELEVEN AT 169 STATE ROAD, KITTERY. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION.**

Chairperson Lemont asked for discussion and addressed Councilor Dennett.

Councilor Dennett said that he may be totally confused but it was his understanding this item would be removed and put on the next agenda due to a technical problem.

Chairperson Lemont asked the Town Manager if she was aware of any problem?

Town Manager Amaral replied that what was put in the notice is the name of the person and not the entity, but the location is identified. She asked if they wanted to withhold the public hearing or move forward? She felt the notice was sufficient.

Councilor Dennett said he must respectfully disagree. He said the applicant is a corporation and is not listed here. He said they would be issuing a license to an individual who did not want to be licensed. He said either people make out the application correctly or they do not. He understood that this is complicated as the owner of the operation is changing sometime at the end of the month, depending on the date we issue the license.

Town Manager Amaral said they are changing ownership at the end of the month.

Councilor Brock asked the Town Manager if she was aware of this time-sensitive problem if we do not approve this tonight.

Town Manager Amaral said the license expires May 31<sup>st</sup> and the next meeting is May 30<sup>th</sup> so it gives them one day.

Councilor Brock asked if that will give them sufficient time to proceed unless there are more technical difficulties?

Councilor Dennett said not to my knowledge. He said it is his understanding the transfer of ownership is going to take place immediately upon the issuance of the Victualer's license.

Councilor Beers said point of order Mr. Chairman.

Chairperson Lemont said yes Councilor Beers.

Councilor Beers asked if the entity is changing ownership, wouldn't the new ownership need to file an application.

Councilor Dennett said in his opinion, yes. He understands that other people would say no.

Chairperson Lemont asked if the business was already transferred?

Town Manager Amaral replied no, but she believes the name on the application is the new owner.

Ms. Maurice said who is on the application is correct but she put the applicant's name rather than the name of the corporation, so the application was filled out properly and what went out for the public hearing notice and how it is stated on the agenda is not correct. She said the application is the current new owner.

Councilor Brock asked if the public hearing notice was incorrect?

Ms. Maurice replied that the applicant's name should have been put on as Bapashree of New England Inc. instead.

Councilor Beers said if this is a new owner, he would not be concerned if they postpone this to the 30<sup>th</sup>. He said they can still operate under the current license – whoever that is.

Chairperson Lemont asked if the ownership was being transferred at the end of May until such time the new ownership takes over.

Ms. Maurice said yes, this can be transferred. She said the owner once everything is approved can finalize.

Chairperson Lemont asked if they can clarify that for Council Dennett when we meet on the 30<sup>th</sup>?

Councilor Pelletier said what she is saying is that the wording is correct for the meeting but for the public hearing is incorrect.

Ms. Maurice responded yes, it should be Bapashree of New England Inc.

Councilor Pelletier wanted to know if what they were saying was that they need to have another public hearing.

Chairperson Lemont answered correct.

Councilor Pelletier said okay, he is fine with that if that was the defective part, but the public hearing piece is the problem. He said if someone had a bee in their bonnet with that corporation, but it was not on the agenda would be an issue. He supported this item coming back on May 30<sup>th</sup>.

Councilor Thomson asked how it was advertised?

Chairperson Lemont said everything was correct except the agenda.

Councilor Pelletier said the agenda and the public hearing notice.

Ms. Maurice replied on the public hearing notice, it was advertised with the individual's name.

Chairperson Lemont asked what would the Town Council like to do?

Councilor Thomson said he would withdraw his motion. Vice-Chairperson Denault agreed to withdraw.

**COUNCILOR THOMSON MOVED TO WITHDRAW THE MOTION AND THAT THE KITTERY TOWN COUNCIL TAKE NO ACTION ON THIS ITEM TONIGHT AND REQUESTED THAT THE PROPER NOTIFICATION BE MADE SO IT CAN BE ACTED ON AT THEIR MAY 30<sup>TH</sup> MEETING. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0. MOTION CARRIES.**

11. DISCUSSION - none

12. UNFINISHED BUSINESS - none

13. NEW BUSINESS

a. Donations /gifts received for Council disposition – none

b. (050218-5) The Kittery Town Council moves to approve the disbursement warrants.



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

Chairperson Lemont said there was no School Warrant tonight.

Chairperson Lemont read the amounts: Town Payable - \$112,963.21 and Sewer Payable, \$32,298.77 for a total of \$145,261.98.

**COUNCILOR THOMSON MOVED THAT THE DISBURSEMENT WARRANTS BE PAID AS PRESENTED. COUNCILOR PELLETIER SECONDED THE MOTION. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, MOTION CARRIES.**

c. (050218-6) The Kittery Town Council moves to schedule a public hearing on June 11, 2018 to vote on the FY'19 municipal budget.

**VICE-CHAIRPERSON DENAULT MOVED THAT THE KITTERY TOWN COUNCIL SCHEDULE A PUBLIC HEARING ON JUNE 11<sup>TH</sup> TO VOTE ON THE FY19 MUNICIPAL BUDGET, SECONDED BY COUNCILOR PELLETIER.**

Councilor Thomson asked if this motion means we must vote on the proposed budget on June 11<sup>th</sup>, but as the public hearing is happening, there may be questions raised that need to be clarified. He said, as per the Town Charter, the Council has the ability not to act – quite frankly - until July 31, 2018. He said that is his question.

Vice-Chairperson said he would amend his motion.

Chairperson Lemont asked the Town Manager what are her expectations for that evening?

Town Manager Amaral replied, ideally, they would approve it before the start of the fiscal year would be preferable.

Councilor Thomson said he does not disagree, but the way it reads, we are locked into June 11<sup>th</sup> to vote on it and the motion should say the public hearing will be on June 11<sup>th</sup>.

Vice-Chairperson Denault said that is what he said and he stands by that.

Councilor Brock asked, through the Chair, if changed, as just suggested, does that mean we can vote on that item?

Councilor Beers responded either way it works, we cannot vote on June 11<sup>th</sup> and move it to a later time if necessary or warranted or leave it as it is and have the opportunity to do so if we feel strongly to do it that evening.

Councilor Thomson said if everyone is okay with Councilor Beers' comment, it is fine with him. He said he did not want to have a development arise whereby they have the public hearing and questions are raised which we would have to sought out that night because we have to vote on it tonight.

Councilor Dennett said this is a little different from the wording we usually have on this. He said that it would say "to schedule a public hearing for June 11<sup>th</sup> and vote" but this gives us a little more leeway. He said it could still be postponed and he has no problem with it as it is.

Chairperson Lemont asked Councilor Dennett if he would like the word changed to “and”?

Councilor Dennett replied no, it usually says “and” but either way is fine, it still gives us leeway.

Councilor Thomson said, through the Chair, that it is fine the way it is and he regrets bringing this up.

**ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, MOTION CARRIES.**

d. (050218-7) The Kittery Town Council moves to appoint Peter Thomas to the Shellfish Conservation Commission until 12/31/2021.

Councilor Dennett said Mr. Chairperson, the interview has been held and is favorable.

**COUNCILOR DENNETT MOVED THAT THE KITTERY TOWN COUNCIL APPOINT PETER THOMAS TO THE SHELLFISH CONSERVATION COMMISSION UNTIL 12/31/21 AND IT WAS SECONDED BY COUNCILOR PELLETIER. ROLL CALL VOTE WS TAKEN WITH ALL VOTING IN FAVOR, 7-0. MOTION CARRIES.**

e. (050218-8) The Kittery Town Council moves to appoint Todd Rollins to the Shellfish Conservation Commission until 12/31/2021.

Vice-Chairperson Denault said the interview was held and he was unanimously accepted with the Shellfish Chair.

**VICE-CHAIRPERSON DENAULT MOVED THAT THE KITTERY TOWN COUNCIL APPOINT TODD ROLLINS TO THE SHELLFISH CONSERVATION COMMISSION UNTIL 12/31/2021. COUNCILOR PELLETIER SECONDED THE MOTION.**

Chairperson Lemont said he had one question and asked Ms. Maurice if she knows that with this appointment the Board is filled now?

Ms. Maurice replied yes.

**ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0. MOTION CARRIES.**

f. (050218-9) The Kittery Town Council moves to approve a Pole Location Permit from Central Maine Power to put in a new pole at a distance of eighty feet southerly from Spinney Cove Road.

**COUNCILOR DENNETT MOVED THAT THE KITTERY TOWN COUNCIL APPROVE THE POLE LOCATION PERMIT FROM CENTRAL MAINE POWER TO PUT IN A NEW POLE AT A DISTANCE OF EIGHTY FEET SOUTHERLY FROM SPINNEY COVE ROAD. COUNCILOR THOMSON SECONDED THE MOTION. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, MOTION CARRIES.**

g. (050218-10) The Kittery Town Council moves to approve a renewal application from WLH Management Corp., 11 Water St., Kittery, ME for a Malt, Vinous and Spirituous Liquor License for Warren's Lobster House, 11 Water Street.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and found the establishment to be in compliance with the Town Code.

**VICE-CHAIRPERSON DENAULT MOVED THAT THE KITTERY TOWN COUNCIL APPROVE THE RENEWAL APPLICATION FROM WLH MANAGEMENT CORP., 11 WATER STREET, FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR WARREN'S LOBSTER HOUSE, 11 WATER STREET. COUNCILOR THOMSON SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0, MOTION CARRIES.**

h. (050218-11) The Kittery Town Council moves to approve a renewal application from Chios Pizza Inc., 15 Wentworth St., Kittery, ME for a Malt, Vinous and Spirituous Liquor License for Town Pizza, 15 Wentworth Street.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and found the establishment to be in compliance with the Town Code.

**COUNCILOR THOMSON MOVED THAT THE KITTERY TOWN COUNCIL APPROVE THE RENEWAL APPLICATION FROM CHIOS PIZZA INC., 15 WENTWORTH ST., KITTERY, ME FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR LICENSE FOR TOWN PIZZA, 15 WENTWORTH STREET. VICE-CHAIRPERSON DENAULT SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0. MOTION CARRIES.**

i. (050218-12) The Kittery Town Council moves to approve a renewal application from Maine Ocean Lobster LLC, 31 Badger's Island West, Kittery, ME for a Malt, Vinous and Spirituous Liquor License for The Pointe, 31 Badger's Island West.

Chairperson Lemont said that the Code Enforcement Officer has conducted the inspection and found the establishment to be in compliance with the Town Code.

**VICE-CHAIRPERSON DENAULT MOVED THAT THE KITTERY TOWN COUNCIL APPROVE THE RENEWAL APPLICATION FROM MAINE OCEAN LOBSTER LLC, 31 BADGER'S ISLAND WEST, KITTERY, ME FOR A MALT, VINOUS AND SPIRITUOUS LIQUOR LICENSE FOR THE POINTE, 31 BADGER'S ISLAND WEST. COUNCILOR THOMSON SECONDED THE MOTION.**

Councilor Dennett said he had a question on the supplemental application.

Chairperson Lemont asked him what was his concern?

Councilor Dennett replied that it had not been signed and asked the Town Clerk to call the applicant to have him come in to be signed.

**ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0. MOTION CARRIES.**

j. (050218-13) 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, 2 Government Street, from 9:00 a.m. – 10:00 p.m. for the Kittery Block Party on June 16, 2018.

**COUNCILOR PELLETIER MOVED THAT THE KITTERY TOWN COUNCIL APPROVE THE REQUEST FOR A ONE-DAY EXTENSION OF SERVICE AREA OF THE PREMISES, EXTERNALLY, ON THE CURRENT LIQUOR LICENSE FOR THE BLACK BIRCH, 2 GOVERNMENT STREET, FROM 9:00 A.M. – 10:00 P.M. FOR THE KITTERY BLOCK PARTY ON JUNE 16, 2018. COUNCILOR THOMSON SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN WITH ALL VOTING IN FAVOR, 7-0. MOTION CARRIES.**

k. (050218-14) The Kittery Town Council moves to approve the policy for Collection of Unpaid Taxes.

Town Manager Amaral asked if Council could hold off voting on this as well and do in conjunction with the Taxpayer Relief Policy.

Councilor Thomson said we could postpone this item until May 30<sup>th</sup> as requested.

Councilor Beers felt that they could just withdraw the agenda item.

Chairperson Lemont said consider it done and asked that this item be placed on the May 30<sup>th</sup> agenda.

l. (050218-15) The Kittery Town Council moves to postpone the ordainment of Title 15 Ethics, to the meeting of June 25<sup>th</sup>.

**COUNCILOR THOMSON MOVED THAT THE KITTERY TOWN COUNCIL POSTPONE THE ORDAINMENT OF TITLE 15, ETHICS, TO THE MEETING OF JUNE 25<sup>TH</sup>, SECONDED BY VICE-CHAIRPERSON DENAULT. ALL WERE IN FAVOR BY A VOICE VOTE, 7-0, MOTION CARRIES.**

#### 14. COUNCILOR ISSUES OR COMMENTS

Vice-Chairperson Denault said he would like to recognize Milton Hall, who recently passed. He said he was 81 years old and lived on Bowen Road. He said Mr. Hall was raised in his home in Kittery and attended Traip Academy and Maine Maritime Academy. He served in the Merchant Marines and retired after 20 years of service. He said Mr. Hall was the Chair of Kittery Port Authority and volunteered at the Kittery Naval & Historical Museum for many years. He said Mr. Hall enjoyed lobstering.

Vice-Chairperson Denault said he remembers him with kindness and asked if he could make a motion to adjourn the Council meeting in memory of Milton Hall.

Councilor Thomson said that he and his wife returned from their two-week to France and while they were there they took a trip to Normandy and walked on Omaha Beach. He said they could not go in part of the cemetery as it had rained and they were concerned with the turf. He choked up and said that in all his years of teaching U.S. History – it is something he will never forget.

Councilor Dennett said he is waiting for the Town Manager to say – for the public record – who is the new Harbor Master?

Town Manager Amaral said they hired retired Police Sergeant John Brosnihan, who has experience in the Coast Guard, as the new Harbor Master and he is looking forward to it.

#### 15. COMMITTEE AND OTHER REPORTS

Councilor Beers said the Library Transition sub-committee met earlier this month and reviewed the extensive agenda and dealt with all the figures necessary to transfer the Rice Public Library from private to a town department. He said they will meet again on June 6<sup>th</sup>.

#### 16. EXECUTIVE SESSION – none

#### 17. ADJOURNMENT:

**VICE-CHAIRPERSON DENAULT MOVED TO ADJOURN THE MEETING AT 6:29 P.M. IN HONOR OF MILTON HALL FOR HIS MANY YEARS OF SERVICE. COUNCILOR PELLETIER SECONDED THE MOTION. VOICE VOTE WAS TAKEN WITH ALL VOTING IN FAVOR. MOTION CARRIES.**

Respectfully submitted,

Barbara Boggiano  
Recording Secretary

Approved 6-11-18