

APPROVED
April 13, 2009

**KITTERY TOWN COUNCIL
SPECIAL MEETING**

March 30, 2009

Council Chamber

1. CALL TO ORDER

Chairperson Jeffrey Thomson called the meeting to order at 6:30 p.m.

2. INTRODUCTORY

Chairperson Thomson read the Introductory.

3. PLEDGE OF ALLEGIANCE

The Chair led those present in the Pledge of Allegiance.

4. ROLL CALL

Answering the roll were Councilors Gary Beers, Frank Dennett, George Dow, Ann Grinnell, Vice Chair Judith Spiller and Chairperson Jeffrey Thomson. Also present were Town Manager Jonathan Carter, Town Clerk Maryann Place, Lieutenant Russell French, Fire Chief David O'Brien, Recreation Director Janice Grady, Commissioner of Public Works Richard Rossiter, Rice Public Library Director Steve Russo, members of the Rice Library Board of Trustees and members of the press and others.

5. DISCUSSION BY THE PUBLIC (Pertaining to Item 6; three minutes per person)

There was none.

6. A. THE KITTERY TOWN COUNCIL MOVES TO SET A DATE FOR A PUBLIC HEARING FOR A BOND ISSUE TO BE ON THE JUNE 9, 2009 BALLOT FOR AN ADDITION TO THE PUBLIC WORKS GARAGE AND REPLACEMENT SALT SHED.

VICE CHAIR SPILLER MOVED TO SET THE DATE OF APRIL 13, 2009 FOR A PUBLIC HEARING TO PLACE A BOND ISSUE ON THE JUNE 9, 2009 BALLOT FOR AN ADDITION TO THE PUBLIC WORKS GARAGE AND A REPLACEMENT SALT SHED, SECONDED BY COUNCILOR DOW.

A ROLL CALL VOTE WAS TAKEN, WITH ALL IN FAVOR. MOTION PASSES 6/0.

B. THE KITTERY TOWN COUNCIL MOVES TO SET A DATE FOR A PUBLIC HEARING FOR A BOND ISSUE TO BE ON THE JUNE 9, 2009 FOR NEW SITE DEVELOPMENT AND CONSTRUCTION AT MITCHELL AND SHAPLEIGH SCHOOLS.

COUNCILOR DENNET MOVED TO SET THE DATE OF APRIL 13, 2009 FOR A PUBLIC HEARING TO PLACE A BOND ISSUE ON THE JUNE 9, 2009 BALLOT FOR NEW SITE DEVELOPMENT AND CONSTRUCTION AT MITCHELL AND SHAPLEIGH SCHOOLS, SECONDED BY COUNCILOR DOW.

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COUNCILOR BEERS AMENDED THE MOTION TO SET THE DATE OF APRIL 13, 2009 FOR A PUBLIC HEARING TO PLACE A BOND ISSUE ON THE JUNE 9, 2009 BALLOT FOR NEW SITE DEVELOPMENT AND CONSTRUCTION AT MITCHELL AND SHAPLEIGH SCHOOLS CONTINGENT ON RECEIPT OF THE FAVORABLE VOTE OF THE SCHOOL COMMITTEE ON MARCH 31, 2009, SECONDED BY COUNCILOR DOW.

A ROLL CALL VOTE WAS TAKEN ON THE AMENDMENT AS FOLLOWS, FIVE IN FAVOR AND ONE OPPOSED. MOTION PASSES 5/1 WITH COUNCILOR GRINNELL OPPOSED.

A ROLL CALL VOTE WAS TAKEN ON THE MAIN MOTION AS AMENDED AS FOLLOWS, FIVE IN FAVOR AND ONE OPPOSED. MOTION PASSES 5/1 WITH COUNCILOR GRINNELL OPPOSED.

C. THE KITTERY TOWN COUNCIL MOVES TO FINALIZE THE WORDING ON THE WARRANT ARTICLES AND TO FORMULATE ITS RECOMENDATION ON EACH ARTICLE FOR THE JUNE 9, 2009 BALLOT.

Article 2: Funding for the Town's Established Employee Reserve Leave Fund

Shall the Town vote to authorize Town Council to transfer \$50,000 from unencumbered surplus into the Town's existing dedicated Account for Accrued Vacation and /or Sick leave for the continued purpose of settling any unpaid benefits owed to retiring employees?

Motion: Councilor Grinnell moved to place Article 2 on the June 9th Ballot. Motion was seconded by Councilor Beers. Vote 6-0 in favor.

Motion: Councilor Dow moved to affirmatively recommend Article 2. Motion was seconded by Councilor Spiller. Vote 6-0 in favor.

Article 3: Establishment of a Public Piers and Waterfront Infrastructure Capital Repair and Reserve Account

Shall the Town vote to establish a Public Piers and Waterfront Infrastructure Capital Repair and Reserve Account and to authorize Town Council to transfer \$40,000 from unencumbered surplus and to appropriate and expend said amount for the purpose of funding this reserve account?

Motion: Councilor Grinnell moved to place Article 3 on the June 9th Ballot. Motion was seconded by Councilor Spiller. Vote 6-0 in favor.

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Motion: Councilor Dow moved to affirmatively recommend Article 3 by the Council. Motion seconded by Councilor Beers. Vote 6-0 in favor.

Article 4: Expose Surplus to pay for qualified Insurance deductible claims

Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$25,000 from unencumbered surplus when necessary and appropriate and expend up to \$25,000 for the purpose of paying the Town's cost on accepted insurance claims against the Town?

Motion: Councilor Spiller moved to place Article 4 on the June 9th Ballot. Motion was seconded by Councilor Beers. Vote 6-0 in favor.

Motion: Councilor Beers moved to affirmatively recommend Article 4 by the Council. Motion seconded by Dow. Vote 6-0 in favor.

Article 5: Grant Match Funding

Shall the Town vote to authorize Town Council to establish a Grant Matching Fund and transfer an amount not to exceed a maximum of \$100,000 for FY'10 from the unencumbered surplus when necessary and appropriate and expend said amount at the discretion of the Town Council following a public hearing for the purpose of providing the Town's match to Federal, State and Non-Profit grants?

Motion: Councilor Spiller moved to place Article 5 on the June 9th Ballot. Motion was seconded by Councilor Grinnell. Vote 6-0 in favor.

Motion: Councilor Spiller moved to affirmatively recommend Article 5 by the Council. Motion seconded by Councilor Grinnell. Vote 6-0 in favor.

Article 6: Energy Reserve Funding

Shall the Town vote to authorize Town Council to transfer from unencumbered surplus an amount not to exceed \$40,000 when necessary and to appropriate and expend said amount to cover shortfalls in FY'10 fuel account budgets in town departments due to the unpredictable fuel pricing markets for electricity, propane, natural gas, diesel, number 2 oil and unleaded gasoline?

Motion: Councilor Beers moved to place Article 6 on the June 9th Ballot. Motion was seconded by Councilor Spiller. Vote 6-0 in favor.

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Motion: Councilor Spiller moved to affirmatively recommend Article 6 by the Council. Motion seconded by Councilor Beers. Vote 6-0 in favor.

Article 7: Emergency General Assistance Funding

Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$40,000 from unencumbered surplus when necessary and to appropriate and expend said amount for the purpose of providing the Town of Kittery General Assistance program as required by Town, State and Federal laws?

Motion: Councilor Beers moved to place Article 7 on the June 9th Ballot. Motion was seconded by Councilor Grinnell. Vote 6-0 in favor.

Motion: Councilor Spiller moved to affirmatively recommend Article 7 by the Council. Motion seconded by Councilor Beers. Vote 6-0 in favor.

Article 8: Funding to undertake a Mosquito /Tick Borne Disease Program

Shall the Town vote to raise by taxation \$57,200 and to appropriate and expend up to \$57,200 for funding the third year of the mosquito and tick monitoring and control program for the Town of Kittery?

Motion: Councilor Grinnell moved to place Article 8 on the June 9th Ballot. Motion was seconded by Councilor Spiller. Vote 3-3 motion failed with Councilors Dow, Dennett, and Beers in opposition.

Motion to reconsider by Councilor Dow to place Article 8 on the June 9th Ballot. Motion was seconded by Councilor Spiller. Vote 4-2 motion passes with Councilors Beers and Dennett in opposition.

Motion: Councilor Spiller moved to place Article 8 on the June 9th Ballot. Motion was seconded by Councilor Grinnell. Vote 4-2 motion passes with Councilors Beers and Dennett in opposition.

Motion: Councilor Grinnell moved to affirmatively recommend Article 8 by the Council. Motion seconded by Thomson. Vote 3-3.

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Article 9: Additional Traffic Light Improvements at the Martin and Stevenson Road Intersection

Shall the Town vote to transfer \$75,000 from the Mackenzie Lane Traffic Light Reserve Account into the Traffic Light Improvement Reserve Fund for the Intersection of Stevenson and Martin at Route 236 (balance of \$10,000) and to appropriate and expend up to \$85,000 to undertake MDOT approved Traffic Light infrastructure improvements at this intersection.

Motion: Councilor Spiller moved to place Article 9 on the June 9th Ballot. Motion was seconded by Councilor Beers. Vote 3-3 motion failed with Councilors Dow, Dennett and Beers in opposition.

7. ADJOURNMENT

COUNCILOR DOW MADE A MOTION TO ADJOURN, SECONDED BY VICE CHAIR SPILLER, WITH ALL IN FAVOR.

MEETING ADJOURNED: 7:12 P.M.

There was a workshop following the meeting with department heads to discuss budget issues.