



**SELECT BOARD  
MEETING MINUTES  
DECEMBER 7, 2010**

**1.0 CALL TO ORDER**

Meeting called to order at 6:00pm.

Members present:     Phil Cavaretta, Vice Chairman  
                              Jacqueline Bevins  
                              Michael Score  
                              Graham Simonds

Members absent:     Donato Tramuto, Chairman

Motion made by Jacqueline Bevins and second by Graham Simonds to excuse the absence of Donato Tramuto from the December 7, 2010 Select Board meeting; approved 4-0.

Others present:     Thomas A. Fortier, Town Manager

**2.0 PLEDGE OF ALLEGIANCE**

Those in attendance recited the Pledge of Allegiance.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

3.1 **November 9, 2010** – Motion made by Graham Simonds and second by Jacqueline Bevins to approve the minutes of the November 9, 2010 Select Board meeting as written; approved 4-0, Tramuto absent.

**4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

4.1 Harbormaster Shack Replica - *Thomas A. Fortier, Town Manager*  
Presentation of a Harbormaster Shack Replica from Rick Boccetti to the Town of Ogunquit.

This agenda item has been tabled until the first meeting in January.

4.2 Lobster Dash Donation – *Charlie Farrington & John Mixon*  
Presentation of funds raised by the Lobster Dash to the Ogunquit Recreation Department and the Ogunquit Playhouse Children’s Theater

Charlie Farrington was in attendance to present to the Ogunquit Recreation Department a check for \$300 and to the Ogunquit Playhouse Children’s Theater a check for \$300 from the proceeds from the 10<sup>th</sup> Annual Lobster Dash. Gordon Lewis, Chairman of the Ogunquit Parks & Recreation Committee, accepted the check.

- 4.3 Committee Application – Recycling Committee  
Application for membership to the Recycling Committee

**120710-01** Motion made by Graham Simonds and second by Jacqueline Bevins to appoint Mary Breen as a Full Member to the Ogunquit Recycling Committee; approved 4-0, Tramuto absent.

- 4.4 Committee Resignation – Ogunquit Performing Arts  
Member resignation from the Ogunquit Performing Arts Committee

**120710-02** Motion made by Graham Simonds and second by Jacqueline Bevins to accept, with regrets, the resignation of Norman Wilkinson from the Ogunquit Performing Arts Committee; approved 4-0, Tramuto absent.

The Select Board directed the Town Manager to send a letter of appreciation to Mr. Wilkinson for his twelve years of service on the Performing Arts Committee.

**5.0 PUBLIC HEARINGS, PRESENTATION**

Motion made by Graham Simonds and second by Jacqueline Bevins to open the public hearing at 6:07pm; approved 4-0, Tramuto absent.

- 5.1 Bintliff’s – Ogunquit - Malt, Spirituous and Vinous License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-03** Motion made by Graham Simonds and second by Jacqueline Bevins to approve the Malt, Spirituous and Vinous License renewal for Bintliff’s Ogunquit; approved 4-0, Tramuto absent.

- 5.2 Five-O Shore Road - Malt, Spirituous and Vinous License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-04** Motion made by Graham Simonds and second by Jacqueline Bevins to approve the Malt, Spirituous and Vinous License renewal for Five-O Shore Road; approved 4-0, Tramuto absent.

- 5.3 Westmeadow Pub - Malt, Spirituous and Vinous License Renewal

Selectman Cavaretta recused himself from any action on this agenda item. Select Board member Bevins took over the proceedings.

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-05** Motion made by Graham Simonds and second by Michael Score to approve the Malt, Spirituous and Vinous License renewal for Westmeadow Pub; approved 3-0, Cavaretta abstained and Tramuto absent.

5.4 Bintliff's – Ogunquit – Amusement License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-06** Motion made by Graham Simonds and second by Jacqueline Bevins to approve the Amusement License renewal for Bintliff's – Ogunquit; approved 4-0, Tramuto absent.

5.5 Five-O Shore Road - Amusement License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-07** Motion made by Graham Simonds and second by Jacqueline Bevins to approve the Amusement License renewal for Five-O Shore Road; approved 4-0, Tramuto absent.

5.6 Westmeadow Pub - Amusement License Renewal

Selectman Cavaretta recused himself from any action on this agenda item. Select Board member Bevins took over the proceedings.

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**120710-08** Motion made by Graham Simonds and second by Michael Score to approve the Malt, Spirituous and Vinous License renewal for Westmeadow Pub; approved 3-0, Cavaretta abstained and Tramuto absent.

Motion made by Jacqueline Bevins and second by Graham Simonds to close the public hearing at 6:12pm; approved 4-0, Tramuto absent.

**6.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

6.1 Dorothea Jacobs Grant Common Project - Thomas A. Fortier, Town Manager

Gordon Lewis, Parks & Recreation Committee Chair, reviewed some new improvements to the Dorothea Jacobs Grant Common. Recently a walkway project was completed by Franey Landscaping of York, Maine. A short, six slide presentation was shown to the Select Board.

**7.0 ADMINISTRATIVE ITEMS – NEW BUSINESS**

**8.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP**

8.1 Public

No comments or questions from the public in attendance.

8.2 Select Board

**Selectman Simonds**

- Time Warner Cable is contemplating doing away with Channel 13/CBS. Asked the Town Manager if he has had any dialogue with TWC regarding this. Mr. Fortier stated that he has not had any dialogue, and that from experience, it wouldn't do any good.
- Selectman Simonds expressed his concern about the attorney fees. Since the Town Manager is responsible for the management of legal fees, there may be a lot of dialogue that goes on that, as manager, may not be aware of. Could something be adopted that requires permission from the Town Manager before any attorneys are contacted?

**Selectman Cavaretta**

- Gave an update on the status of the recall petition.

8.3 Town Manager - Thomas A. Fortier

- Noted that today is Pearl Harbor Day.
- Stated that there is a School Board opening available due to the resignation of Sue Pollard.
- Ogunquit Village Christmas Parade is scheduled for this Saturday, December 11<sup>th</sup> at 3:00pm.
- Tree Lighting will be held on Friday, December 10<sup>th</sup> at Veteran's Park at 8:15pm; followed by a bonfire at Main Beach. Stated that the tree looks great; Jacqueline Bevins played a big part in the decorating of the tree.
- There will be no meeting of the Select Board on December 21<sup>st</sup>; the next meeting of the board will be January 4, 2011.
- Brought to the board's attention that the date was changed from November 16<sup>th</sup> to November 9<sup>th</sup> by the Select Board, therefore Admiral's Inn was not present because the date on their paperwork stated November 16<sup>th</sup>. Town Manager Fortier apologized.
- Donato Tramuto was appointed by the Governor, President of the Senate and Speaker of the House to the *Maine Economic Growth Council*. He was also named to the *Leadership Council of the Robert F. Kennedy Center for Justice and Human Rights*.
- Legal fees are at 103% of budgeted funds (budgeted \$50,000 and currently are at \$53,000).
- The Fire Department attended a training at the Cliff House (burned some structures). The event was covered by Channel 8 news.
- Calls for service are up in the Fire Department, 81 calls over last year's calls for service.
- Route 1 surveying has begun to determine right-of-ways; this will enable sidewalks to be laid out once completed.
- The Dog Park continues to move forward; fencing is being erected.
- Harbormaster installed Christmas lights on Perkins Cove Bridge; response has been great, people love it! The bridge has also been kept down longer than it has been in the past, people are very pleased with it..
- The Harbormaster also applied for a \$20,000 Small Harbor Improvement Grant to help defray the costs of mooring inspections.
- The Harbormaster will be working with Public Works during the winter.
- The Ogunquit clam flats are open, over \$3,000 in revenues so far.
- Harbor Committee has begun meeting again.

- CEO Lempicki and Asst. CEO Booth have been attending training on the Universal Building Code. Revenues are up in that department.
- An additional gate will be located at the guard shack at the Transfer Station so that when the Dog Park is open, people will be unable to access the Transfer Station.
- Local news in surrounding communities has had lot of discussion regarding pay-per-bag fees.
- Revenues are up at the Transfer Station.
- Parks & Recreation department will be hosting a Holiday Party for Families on Friday, December 17<sup>th</sup>.
- Jennifer Ewing, Recreation Director, has obtained a \$2,000 grant for the town employee *Wellness Program*.
- The Recreation Director has met with Kennebunkport Rec Department and also has implemented a page on Facebook.
- Met with the Department of Labor in Augusta last week, the State reduced the \$8,000 fine to \$0 based on the town's response.
- Marginal Way is closed from Oarweed to Frazier Pasture due to the revetment project along that section of the Marginal Way.
- The Perkins Cove Sheetpile project is expected to begin within the next couple of weeks.
- Informed the Select Board that Thomas Hagerty, former Planning Board member, fell and is in the hospital.
- Former Chair and Select Board member John Miller is home from the hospital today and hopes to attend the Holiday Luncheon next week.
- Cliff Marchant, the Town's Maintenance Director, fell and broke his leg in three places and is out for a period of time.
- Holiday Luncheon, Tuesday, December 14<sup>th</sup> at the Dunaway Community Center.
- Town Office will be closed for ½ day on December 23<sup>rd</sup> and all day on December 24<sup>th</sup>.

8.4 Boards & Committees – *Ogunquit Performing Arts*

This agenda item was tabled.

**9.0 ADJOURNMENT**

Motion made by Graham Simonds and second by Jacqueline Bevins to adjourn the meeting at 6:37pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager