



**SELECT BOARD
MEETING MINUTES
NOVEMBER 15, 2011**

5:45PM – COMMITTEE INTERVIEW

1.0 CALL TO ORDER – 6:00PM

Members present: Donato Tramuto, Chairman
Christopher Jarochym, Vice Chairman
David Barton
Barbara Dailey
Robert Winn, Jr.

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 **October 25, 2011** – Motion made by Chris Jarochym and second by Barbara Dailey to accept the minutes of the October 25, 2011 Select Board meeting as noted; approved 4-0, Tramuto absent from meeting.

4.0 TOWN MANAGER’S REPORT

The Historic Preservation Commission is in need of members, looking for volunteers to serve on that committee.

On Election Day, November 8th, the Town of Ogunquit had a 50% voter turnout.

Encouraged the public to attend the “Coffee and Donut” to be held on Thursday, October 27th, this event is sponsored by the Parks & Recreation Committee.

The Parks & Recreation Department will be installing a 60’x80’ ice rink in the Obeds Lot this winter. The smaller rink at OVS will be for the younger children. Approximately \$3,000 in donations came from “Paddle to the Point” to purchase this rink.

Berwick Road is getting close to completion, granite curbing has been installed. Sidewalks will be installed this week and striping will occur on Thursday night.

The Public Works crew has been busy getting ready for the winter season.

Erosion at the Footbridge boat ramp has been repaired.

Work continues on Obeds Lane, preparation for sidewalks in the spring.

Recently entered into collaboration with Wells-Ogunquit CSD and the town of Wells regarding contracts for copier services, the rate per copy was reduced from .009 to .0037.

With the assistance from the Fire Chief, the town locked in on fuel, which by estimate should be a \$3,000-\$4,000 savings this year.

The sale of commodities at the Transfer Station under the good management of the manager, John Fusco, has increased revenues.

ECOMaine contract will see a reduction of approximately \$13,000 next year.

The Police Department, on Thursday night, October 27th, will be out at the shooting range off Berwick for training. Mr. Fortier advised the public that they may hear shooting that night.

Visitor Services staff year-ending meeting/thank you was held.

Congratulations to John Miller who is Ogunquit's Citizen of the Year (Chamber of Commerce).

Chairman Tramuto read a letter aloud of appreciation, commendation and thanks regarding the staff of the Fire Department and Police Department who had responded to a medical distress call; named were Sgt. Matt Buttrick, Officer Brett Owens, Jonathan Gay, Jessica Christian David Moore and Martin Kriensky.

5.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

5.1 Committee Resignation – *Historic Preservation Commission*

111511-01 Motion made by Barbara Dailey and second by Chris Jaroachim to accept the resignation of Jerry DeHart as a member of the Historic Preservation Commission; approved 5-0. The Select Board requested that the Town Manager send Mr. DeHart a letter of appreciation.

6.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Robert Winn and second by David Barton to call the Public Hearing to order at 6:04pm, approved 5-0.

6.1 Fire Department Beach Wheelchair – *Fire Chief Ed Smith*

Presentation by Chief Smith of a new Beach Wheel Chair for the Ogunquit Fire & Rescue Department

Fire Chief Ed Smith was in attendance to present to the town a new Beach Wheel Chair that was funded by an Anonymous donor for half the cost of the chair (\$1,500) and by the Ogunquit Rotary for the remaining \$1,500. With the addition of this chair, the town now has four available for use by the public.

- 6.2 Fireworks Legislation – *Thomas A. Fortier, Town Manager*
 Public comment and questions regarding fireworks legislation and local ordinances

Chairman Tramuto read the new State law regarding fireworks. The Town Manager stated that the town would have to have a special town meeting to approve the ordinance; if that is the direction the town would like to take. He stated that the Police and Fire Departments have weighed in and would like to see fireworks banned in the town for several reasons. The ordinance would also ban the sale of fireworks within the town. Town Manager Fortier also recommended an “Emergency Ordinance “to ban fireworks within the town be put in place in December which would cover the period of January 1, 2021 – January 17, 2012.

Comments by:

Fire Chief Edward Smith (on behalf of the Fire and Police Departments)
 Doug Mayer, Conservation Commission and resident

By a show of hands, the consensus of the audience was to opt out of fireworks use and sale.

Motion made by Robert Winn and second by Barbara Dailey to close the public hearing at 6:26pm; approved 5-0.

7.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

- 7.1 Recreational Smoke ADHOC Committee – *Thomas A. Fortier, Town Manager*
 To appoint an ADHOC committee to look into the issue of recreational smoke within the Town of Ogunquit

Town Manager Fortier requested endorsement from the Select Board on the following citizens to be appointed as members of the Recreational Smoke ADHOC Committee:

Mary Ross	Donald Simpson
Lesley Mathews	Martin Crosby
Madeline Mooney-Brown	Chief Ed Smith
Cindy Douglass	Recreation Director Jennifer Ewing
Bernie Stein	Town Manager Thomas Fortier

Chairman Tramuto stated that as an Adhoc Committee, the Town Manager could appoint the committee and present the report to the Select Board.

- 7.2 Bike-Ped Committee – *Thomas A. Fortier, Town Manager*
 To appoint a standing committee to look into Ogunquit becoming a “Pedestrian-Bike friendly” town

Town Manager Fortier requested endorsement from the Select Board on the following citizens to be appointed as members of the Bike-Ped Committee:

Mary Breen	Dean Rinaldi
John Cavaretta	Selectman Bob Winn as Liaison
Charlie LaFlamme	Police Chief Arnaudin
Tim Tower	Karen Arel, Chamber of Commerce
Greg Testa	Town Manager Thomas Fortier

111511-02 Motion made by David Barton and second by Barbara Dailey to endorse the following to a standing committee to be known as the “Bicycle-Pedestrian Committee”: Mary Breen, John Cavaretta, Charlie LaFlamme, Tim Tower, Greg Testa, Dean Rinaldi, Selectman Bob Winn as Liaison, Police Chief Arnaudin, Karen Arel, Chamber of Commerce and Town Manager Thomas Fortier; approved 5-0.

7.3 Run for the Fallen – *John Mixon (tabled from 10-25-2011)*

To request the use of Veteran’s Park on May 25, 26 and 27, 2012; July 3, 4 and 5, 2012; August 17, 18 and 19, 2012; in addition on August 19, 2012 (day of the event) the use of Route 1 North and Obeds Parking Lot (free parking for runners, spectators and participants) and signage on public property 30-days prior to the event.

Selectman Winn recused himself from discussion and action on this agenda item.

Gordon Lewis, Run for the Fallen Director, was in attendance to speak on the issue. This was presented at the last meeting of the Select Board and there was some confusion. The “Run for the Fallen” is not a perpetuating charity. When it was formed it was to lend support to Maine families who had lost a hero in Iraq and Afghanistan. As long as we are at war in Iraq and Afghanistan the RFTF will work hard and diligently to benefit the families and to show them we care and that we remember. When we are out of the war in Iraq and Afghanistan, the RFTF will not exist as a run.

Mr. Lewis explained the activities that will occur on the dates that have been requested. He responded to questions from the Select Board regarding the activities.

The Special Event ordinance was reviewed by the Select Board and the Town Manager. It was the suggestion of the Chairman that the ordinance and number of events be reviewed as to what is appropriate for the town. It was noted that there is sufficient time to research and place an article on the Special Town Meeting warrant January 17, 2012 to amend the Special Event Ordinance [for clarity].

111511-03 Motion made by David Barton and second by Chris Jarochoym that the Board approve the Run for the Fallen event the weekend of August 17, 18 and 19, 2012 which would include free parking for all runners, spectators and participants at Obeds Lane; and signage on public property no more than 28 days prior to the event; approved 4-0, Winn abstained.

Recommendation made by David Barton that the Board table the two components of this application until the next meeting and request that they be submitted separately with a full description of what’s going to be done.

8.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

8.1 Parking Policy for Special Events – *Thomas A. Fortier, Town Manager*

To discuss the creation of a policy for use of town parking lots during special events

Town Manager Fortier stated that there are a number of events throughout the year that request free parking. He explained that staff had recommended, that prior to Memorial Day and after Labor Day, it would be okay to consider special event requests for free parking, but in season, the hope is to have a policy that does not allow a request for free parking.

Chairman Tramuto requested that this item be included in the review of the Special Events ordinance.

- 8.2 Special Town Meeting, January 17, 2012 – *Thomas A. Fortier, Town Manager*
To set the date for a proposed Special Town Meeting

Town Manager Fortier presented the time line in the event that the Select Board held a Special Town meeting in January.

Mr. Fortier will work on the order to presented at the December 6, 2012 Select Board meeting.

111511-04 Motion made by David Barton and second by Barbara Dailey to call a Special Town Meeting on Tuesday, January 17, 2012 from 8:00am to 6:00pm with an order to the Town Clerk of proposed referendum questions to be presented to the Town Clerk at the December 6, 2011 Select Board meeting; approved 5-0.

- 8.3 Select Board Horizons – *Chairman Donato Tramuto*
To establish Short and Long Term Goals & Priorities

Robert Winn and Chris Jarochoym, with assistance from Tony Maurno and Chris Prudente, presented the Infrastructure Committee Horizons.

Chris Jarochoym and David Barton presented the Governmental Horizon.

Barbara Dailey and David Barton presented the Operational Efficiencies Horizon.

111511-06 Motion made by David Barton and second by Barbara Dailey to accept these (priorities) as stated, with the scrutiny and workshops that have been conducted and the public input, as the key priorities for 2011-2012; approved 5-0.

- 8.4 Wheel Loader RFP – *Thomas A. Fortier, Town Manager*
To review and award the bid for a new Front-end Wheel Loader for the Ogunquit Highway Department

Five bid packets were sent out, four bids were received:

MiltonCAT	Base Price \$110,500	Less trade-in \$21,000	Final Cost	\$89,500
Beauregard	Base Price \$124,115	Less trade-in \$34,200	Final Cost	\$89,915
Anderson	Base Price \$110,000	Less trade-in \$25,000	Final Cost	\$85,000
Nortrax	Base Price \$121,500	Less trade-in \$26,500	Final Cost	\$95,000

It was the recommendation by the Public Works Department to award the bid to MiltonCAT. The bid from Anderson did not meet specifications.

111511-07 Motion made by Chris Jarochoym and second by David Barton to approve the bid for the 2011 Caterpillar IT14 G from MiltonCAT for the amount of \$89,500; approved 5-0.

9.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP**9.1 Public**

Mary Ross – informed the public that Bob Winn had celebrated his birthday yesterday.

Bobbi Treen – applauded the Select Board for the patience and diplomacy regarding the application request; comments regarding the “Run for the Fallen” Event.

Adam Brock, Nortrax – comments regarding the bid and bid process.

9.2 Select Board

Selectman Dailey – “Shout out” to the many people over the last few weeks that have taken it upon themselves to give “us” some feedback. I have received a lot through the website and a lot of personal comments, reinforcement for the work here and some notes. Just wanted to thank people for sharing their thoughts, it really helps to get feedback. I have really appreciated the people who have reached out, good, bad or indifferent.

Selectman Winn – Reiterated comments by Selectman Dailey; appreciates the people that showed up at tonight’s meeting. He also stated that one of our citizens recently passed away who really put a lot into the efforts of our estuary, beach and our dune area; she was an avid clammer and advocate for the clam flats. I would like to ask the Board if there was a possibility to name the flats after Isabel Lewando in recognition of all the time.

Selectman Barton – Stated that he was impressed with the voter turnout (50%) since it was a state-wide election (33%) and nothing at the local level. He congratulated the people in Ogunquit for having done their civic duty.

Selectman Jarochoym – Reiterated Selectman Dailey’s and Selectman Winn’s comments. Thanked the people who show up at meetings and the people at home who provide feedback in one way or another; appreciates their trust in the boards’ judgment and also provides the board with guidance.

Stated that the Town Manager, David Barton and he had walked around town with the Maine DOT crew a couple of weeks ago; State Senator Dawn Hill as well as State Representative Brad Moulton were also in attendance. Felt that the meeting was positive, working towards a timeline and a plan that meets the town’s urgency as far as getting the Route 1 project underway.

Mr. Jarochoym stated that he appreciated the attendance of the sales representative from Nortrax as part of the bid procedure.

Selectman Tramuto – stated that there will be two meetings in December (6th and 20th). The Vice Chair will chair the meeting on December 20th.

We should talk about a holiday party, if the date has not been established, then should begin to look into securing that date.

Thanked the Select Board, a very visible change in how the board works together, a great level of preparation and collaboration; and a great perspective of sharing of opinions. Thanked Sam from the York County Coast Star for the way Ogunquit is being portrayed in articles.

Thanked Mr. Fortier for the amount of hours that he puts in and the work that he continues to do.

Thanked all the employees for all the work that is done every single day to make Ogunquit that beautiful place by the sea.

10.0 5:00PM – EXECUTIVE SESSION

Motion made by Barbara Dailey and second by David Barton to go into Executive Session at 8:35pm to discuss a legal issue pursuant to MRSA, Title 1, Chapter 13 § 405.6.E; approved 5-0.

Motion made by David Barton and second by Chris Jarochym to come out of Executive Session at 9:40pm; approved 4-0

111511-08 Motion made by David Barton and second by Barbara Dailey to heed counsel advice to withdraw the services of Holtz & Reed and suspend the town participation and representation by counsel in the “Run for the Fallen” complaint immediately; approved 4-0, Winn abstained.

11.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting at 9:50pm, unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager