



**SELECT BOARD
MEETING MINUTES
TUESDAY, JUNE 19, 2012**

1.0 CALL TO ORDER - 6:00PM

Meeting called to order at 6:00pm.

Members present: David Barton
Barbara Dailey
John Daley
Christopher Jarochym
Robert Winn, Jr.

Others present: Thomas A. Fortier, Town Manager
Judy Shaw-Kagiliery, Town Clerk

1.1 Swearing-in of Newly Elected Select Board Members

Town Clerk Judy Shaw-Kagiliery was in attendance to swear in John Daley and Robert Winn, Jr. as Select Board members, terms to expire June 2015.

1.2 Election of Select Board Officers

To elect Chair and Vice Chair of the Ogunquit Select Board

Nominations open for the position of Select Board Chair:

Motion made by David Barton and second by Chris Jarochym to elect Barbara Dailey as Select Board Chair; written ballots were cast. Barbara Dailey was elected Chair.

Nominations open for the position of Vice Chair:

Motion made by Robert Winn and second by David Barton to elect Chris Jarochym as Select Board Vice-Chair.

Motion made by Barbara Dailey and second by Robert Winn to elect David Barton as Select Board Vice-Chair.

Written ballots were cast; David Barton was elected Vice-Chair.

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by those in attendance.

3.0 REQUEST TO APPROVE SELECT BOARD MINUTES

3.1 May 1, 2012 - Motion made by David Barton and second by Robert Winn to approve the minutes of the May 1, 2012 Select Board meeting as amended; approved 4-0.

3.2 June 5, 2012 - Motion made by David Barton and second by Robert Winn to approve the minutes of the June 5, 2012 Select Board meeting as written: approved 4-0.

4.0 TOWN MANAGER'S REPORT

Here comes the good weather and here come the visitors to our *Beautiful Place by the Sea*. Along with the sun and crowds come an increase in need for planning, increased staffing, trash cans, road paving, clean bathrooms, beautification efforts, police reserves, Public Works staffing increases three fold, and of course the Fourth of July Fireworks are just around the corner...

Parking Lot revenues are closing in on a grand total of \$1.5M and we have exceeded the anticipated projected revenue amount of \$1,350,000. All monies will drop to the bottom line and assist with Capital Projects that help insure the maintenance and well being of our facilities and services to residents and visitors.

The trees on Main Street were trimmed this past week and look very nice. Hopefully by this time next year the Route 1 Project will be underway and these same trees, which have grown too large for the space, will be replaced.

Senator Dawn Hill will host a drop-in "meet & greet" on Tuesday, June 19, 2012 in the Recreation Room at 6:00pm at the Dunaway Community Center.

Our plovers, at least a few of them, have re-nested. You'll notice an enclosure at Marker 5 and stake & twine at #8. Both are viable nests, although the nest at marker 8 is well-hidden. Audubon assures us it is there, so our next indicator is when the birds hatch.

This year's **FIREWORKS** will occur on Wednesday July 4th with a rain date of July 5th. They will be at Main Beach at 9:15pm. The show is hosted by the Chamber of Commerce; volunteers are needed to protect the sand dunes, piping plovers, crowds, etc. Please contact the Chamber if you can help. There will be no parking at Main beach but the Lower lot, Upper lot, Moody and Footbridge lots will be free after 6:00pm.

Code Enforcement

CEO Paul Lempicki has been spending time here on weekends and continues to observe and cite many violations. Remember, a primary purpose of zoning

ordinances and rules are to level the playing field for the business community, and to assure that all are treated fairly.

The Scanlon-Beach Street property is in front of Planning Board on June 25th. I have referred the case for review to town attorney Natalie Burns.

The Land Use Office continues to convert files to digital, in anticipation of their move to the Dunaway Center on July 1st.

Fire Department

Mark O'Brien has been selected to be the next Town of Ogunquit Fire Chief, effective July 1, 2012. Mark, as you know, is the standing Deputy Fire Chief. The promotion to Chief is a natural transition. He began with the Town of Ogunquit as a "junior". He has all the certifications, experience, and institutional knowledge necessary to be successful.

We have lots of challenges ahead. The tourist season is upon us, the 4th of July Fire Works, the transition to Wells Dispatch, and now....a new Administrator. We will all need to communicate effectively and rise to the challenges that often become evident with any transition period.

Life Guards have begun their service on all beaches this past Saturday, June 16. *Christians Run*, honoring resident and life guard Christian Luminello was held this past weekend. Laura Rose donated proceeds from that event to the Ogunquit Lifeguards. Last year, you may recall, Laura donated a Jet Ski. This year she donated a trailer (for the new Jet Ski) and a Rescue Board. Thank You!

Town Clerk

Congratulations to the newly elected Selectmen, Bob Winn and John Daley. There was a 32% voter turnout for the Town Warrant/Election Day. Thank you to all that voted. Thank you to Town Clerk Judy Kagiliery and Deputy Clerk Christine Murphy for the long hours they put in to make the day run smoothly. A huge thank you to all the residents that assisted with the election too!

We will have a Presidential election in November, so now is the time to start thinking about other warrant articles you may want to see on the November ballot. One particular item of interest may be to consider the licensing of taxis that do business in Ogunquit. Currently there is no ordinance and therefore no business registration, fees, or guidelines. We have designated taxi stands however! They are located at Perkins Cove, Route 1 adjacent to Key Bank, and at Main Beach.

Harbor Master

The integrity of the Perkins Cove Bridge is worse than first reported. The rot on the

bridge is much more extensive and more work is needed. We are in the process of getting three bids and will do a power point presentation showing the condition of the bridge later in this meeting.

Fred Mayo will be working weekends for the summer with Wednesday-Thursday off.

The Perkins Cove bathroom has been identified as the priority for rehabilitation, followed by Footbridge and Moody Beach bathrooms. Thank you to the voters who approved monies for bathroom remodeling.

Public Works/Maintenance

The crew has been busy taming the weeds and over growth on Marginal Way this past week. They have also continued the good work on Berwick Road and are finalizing the roadside landscaping.

The North Village Road is next on our "to do" list. Request for proposals will go out next week.

The Tennis Courts at Agamenticus Park will be refurbished this and next week by Maine Tennis of Cumberland.

Police

Have you noticed the Reserve officers wearing a very noticeable yellow shirt this summer? We hope that it will increase the officer's visibility to the public. Let us know what you think!

5.0 PUBLIC INPUT

Motion made by Robert Winn and second by David Barton to move into public input at 6:18pm; approved 5-0.

Helen Horn, Juniper Lane, made an appeal to those in the audience and at home. She stated that she is in need of "weed warriors" on the Marginal Way. They meet on Mondays from 9am-12pm to weed the Marginal Way.

Sandra Broomfield, Berwick Road, thanked the town for passing the article for funding of the new Public Works Garage. She commented on the "non-binding" article regarding the location of the garage. She referenced the "Hallet" legal case; feels that the Select Board should really look into the location before a final decision is made.

Motion made by Robert Winn and second by David Barton to close public input at 6:27pm; approved 5-0.

6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

There were no appointments, resignations, proclamations or resolutions before the board.

7.0 PUBLIC HEARINGS, PRESENTATION

Motion made by David Barton and second by Chris Jarochoym to open the Public Hearing at 6:27pm; approved 5-0.

- 7.1 Bandito's Mexican Grill - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there was no public comment.

Town Manager Fortier informed the Select Board that the copy in the packet did not have the Code Enforcement Officer's signature as he was on vacation; the original now has his signature.

Selectman Barton questioned the list of deficiencies and whether they had been corrected; was informed by the Town Manager that they had.

061912-01 Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous and Vinous License Renewal for Bandito's Mexican Grill; approved 5-0.

- 7.2 MC Perkins Cove - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there was no public comment.

Selectman Daley inquired what the occupancy load was for the establishment.

061912-02 Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous and Vinous License Renewal for MC Perkins Cove; approved 5-0.

- 7.3 Hook's - New Application for Malt, Spirituous & Vinous License
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there was no public comment.

061912-03 Motion made by Chris Jarochoym and second by Robert Winn to approve the New Malt, Spirituous and Vinous License for Hook's; approved 5-0.

- 7.4 MC Perkins Cove - Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there was no public comment.

061912-02 Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal for MC Perkins Cove; approved 5-0.

- 7.5 Hook's - New Amusement License Application
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer

There was a question from the public regarding the entertainment and its location. Shannon Baker stated that it would be on the deck. Town Manager Fortier will follow up with the Code Enforcement Officer to see what is allowed.

061912-04 Motion made by Chris Jarochoym and second by John Daley to approve the New Amusement License for Hook's; approved 5-0.

- 7.6 Ogunquit Museum of American Art - New Amusement License Application
Tabled from 06/05/12

This agenda item was tabled indefinitely and has been referred to the Planning Board for an Extension of Use Permit. No action required by the Select Board.

- 7.7 MMA General Assistance Ordinance Appendix A
To review Maine Municipal Association's New General Assistance Ordinance Appendix A

There was no public comment on this agenda item.

- 7.8 Proposal for Recognition Plaque on Marginal Way - Paul Breen, Marginal Way Preservation

Review of short and long term planning goals for the Marginal Way

Paul Breen, President of the Marginal Way Preservation Fund, was in attendance. He gave a power point presentation on a proposal for a recognition plaque near the current monument.

Several residents, as well as Select Board members, participated in a debate about the presentation.

Those that spoke were:

Marilyn Eimon	Helen Horn
Phil Feldman	Peter Griswold
Elaine Feldman	Lesley Mathews
Chris Woodbury	Selectman Barton
Selectman Daley	Selectman Winn

- 7.9 Ogunquit Class of 2012 Students Recognition - *Selectman Chris Jarochym*
Selectman Jarochym asked those in attendance to take a moment to recognize seven students who graduated this year:

Wells High School

Tiana Healy
Morgan Lachapelle
Casey Park

Berwick Academy

Justin Koppstein
Nick Saulnier
Abby Scanlon
Taylor Scanlon

Motion made by Robert Winn and second by Chris Jarochym to close the Public Hearing at 7:39pm; approved 5-0.

8.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

No unfinished business before the Select Board.

9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

- 9.1 MMA General Assistance Ordinance Appendix A - *Thomas A. Fortier, Town Manager*
To approve Maine Municipal Association's New General Assistance Ordinance Appendix A

061912-05 Motion made by Robert Winn and second by Chris Jarochym to approve the MMA General Assistance Ordinance Appendix A effective July 1, 2012; approved 5-0.

- 9.2 Perkins Cove Bridge Status - *Thomas A. Fortier, Town Manager*
Review of the condition of Perkins Cove Bridge

Town Manager Fortier presented a slide show which showed the condition of the bridge's integrity and safety. Concerns need to be addressed in November; if an emergency occurs, then it would have to be addressed sooner.

- 9.3 Proposal for Recognition Plaque on Marginal Way - *Paul Breen, Marginal Way Preservation*
Request from Paul Breen to approve the proposed concept

After discussion, this agenda item was tabled.

10.0 MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP

- 10.1 Public

Bob Glidden, 13 High Ridge Lane, stated that he is a member of the Friends

Committee for the Winn House/Heritage Museum; over the past weekend they had an open house and it was reported that no one from any of the town boards showed up to visit.

Charles Dahill, resident, commented on the problems that this town has got, everyone is pro and con. There is a third thing and that is to make recommendations. He also commented on the Marginal Way. It was recommended that he share his suggestions with the Marginal Way Preservation Committee.

10.2 Select Board

Selectman Daley - First, wanted to congratulate the Town Clerk and the Town Manager and anyone who did the annual town report 2011; it is one of the most informative ones that he has seen. There is tons of information in it, items on the budget, learned a few things. Very transparent, so good job! He also noted that the Select Board has 30 days to appoint three members to the Charter Commission.

Selectman Winn - thanked everyone for coming out, especially the Marginal Way Committee and the Preservation Committee for what they do. Selectman Winn also noted that an understanding of the balance between the citizens and their ideas on things that happen in town needs to be created. Thanks to Town Manager on the report he does every week, Stated that is his worried about the Footbridge, but is sure that the Town Manager will take care of it.

Selectman Jarochym voiced his concerns regarding comments made on Public Works Building. He stated that the Infrastructure Committee did look at the Hallet case. There have been numerous buildings built since that case. He stated that they are certainly willing to look at it again.

To Bob Glidden, he offered his apology for not attending Winn House event, unable to attend due to family commitments.

As part of the Infrastructure Committee, they are generating recommendations for the Land Use office and the land that it is on abutting the Dorothea Jacobs Grant Park. The Committee is seeking volunteers from the community willing to donate time with skills in landscape design and drafting to potentially put together a couple of proposals for the public.

Selectman Barton stated that he is the individual who had brought up the issues (to the Town Manager) of regulating taxis. He feels that taxi companies should be submitting driver's licenses to the town so the police department can run motor vehicle checks, and should also be able to inspect the vehicles to make sure they exceed the state inspection requirements.

Stated that he attends some of the meeting at the Winn House and they are a

dedicated, focused bunch of people; admires what they do.

Stated that he is also an advocate for Marginal Way; he is the Select Board liaison to the Marginal Way Committee.

Town Clerk Judy Shaw-Kagiliery

Town Clerk Judy Shaw-Kagiliery explained to the Select Board the process that has to follow regarding the Charter Commission. Five were elected, only two chose to serve. The Select Board has 30 days to appoint three members, which would create a quorum. Then the Charter Commission would appoint the remaining four members.

Town Clerk Judy Shaw-Kagiliery also spoke about committee vacancies.

Chairwoman Dailey

Chairwoman Dailey read a letter thanking the Fire/Rescue department for their response and saving the life of a family member.

Chairwoman Dailey provided an update regarding the Wells High School situation, The school committee took a vote on 6/13 with respect as to how to direct the next step; moving into phase II of the planning process. There will be a Building Committee established.

Stated that former Chairman, Donato Tramuto is disinclined to be recognized at a public meeting; would like to meet with staff in more a more personal setting. Thanks to Donato for five years of service. She stated that she hopes to be able to continue his devotion to the town.

Next meeting of the Select Board - 7/3/2012

Chairwoman Dailey suggested if it would be useful to have an orientation workshop.

Selectman Barton - stated that he was at the last Wells-Ogunquit School Committee meeting. Mr. Barton gave Diana Allen credit for her work on the School Committee and the frustration that she must have dealing with that committee.

11.0 EXECUTIVE SESSION

Motion made by Robert Winn and second by Chris Jarochoym to go into Executive Session at 8:24pm to discuss Legal issues (Pursuant to Title 1, Subchapter 13 §405.6.E); approved 5-0.

Motion made by Robert Winn and second by Chris Jarochoym to come out of Executive Session at 9:00pm.

No decision was made during Executive Session.

12.0 ADJOURNMENT

Motion made by Robert Winn and second by Chris Jarochem to adjourn the meeting at 9:03pm, unanimous vote to adjourn.

Respectfully submitted,

Cheryl Emery, Administrative Assistant to the Town Manager