



**SELECT BOARD
MEETING MINUTES
APRIL 2, 2013**

1.0 5:00PM – BUDGET WORKSHOP – Finalize CIP & Operating Budget

Budget meeting was called to order at 5:00pm.

Budget Review Committee: Tony Murno
Ken Walsh
Robert Joyner
Michael Lynch
Everett Leach

The Select Board met to review the proposed budgets and to get a preliminary consensus on budget recommendations.

Pumper Replacement

Motion by John Daley and second by David Barton to approve \$300,000 for the Fire Department Pumper Replacement; approved; 4-1, Barbara Dailey in opposition.

Budget Review Committee voted 4-0-1 for \$0.

Street Sweeper

Motion made by David Barton and second by John Daley to approve \$195,000 for the Public Works Street Sweeper; approved 3-2, Chris Jarochym and Robert Winn in opposition.

Budget Committee voted 4-1 for \$195,000.

Utility Tractor

No motion was brought forward, action fails on this item.

Budget Committee voted 5-0 for \$0.

Flail Mower

Motion made by John Daley and second by David Barton to approve \$18,000 for the Public Works Flail Mower; motion fails 2-3.

Budget Committee voted 5-0 for \$0.

Backhoe

Motion made by Robert Winn and second by David Barton to approve \$90,000 for the Transfer Station Backhoe; approved 5-0.

Budget Committee voted 5-0 for \$90,000.

Dunaway Community Center Roofing Replacement

Motion made by Robert Winn and second by David Barton to approve \$68,000 for the Dunaway Community Center Roofing Replacement Project; approved 5-0.

Budget Committee voted 5-0 for \$68,000.

Main Beach Roofing Replacement

Motion made by Chris Jarochoym and second by Robert Winn to approve \$26,000 for the Main Beach Roofing Replacement Project; approved 5-0.

Budget Committee voted 5-0 for \$26,000.

4x4 Pickup Truck

Motion made by David Barton and second by John Daley to approve \$30,000 for the Administrative Services 4x4 Pickup Truck; approved 5-0.

Budget Committee voted 4-1 for \$30,000.

Comfort Stations

Motion made by Robert Winn and second by Chris Jarochoym to approve \$90,000 for Ogunquit Comfort Stations; approved 5-0.

Budget Committee voted 3-2 for \$90,000.

Rehab Interior of Dunaway Community Center

Motion made by David Barton and second by Robert Winn to approve \$30,000 for the Rehabilitation of the Interior of the Dunaway Community Center; approved 5-0.

Budget Committee voted 4-1 for \$30,000.

Rehab Main Beach Awning Structure

Motion made by David Barton and second by Robert Winn to approve \$20,000 for the Rehabilitation of the Main Beach Awning Structure; approved 3-2, Chris Jarochym and Robert Winn in opposition.

Budget Committee voted 5-0 for \$0.

Main Beach Fencing

Motion made by John Daley and second by Robert Winn to approve \$20,000 for Main Beach Fencing; approved 5-0.

Budget Committee voted 5-0 for \$20,000.

Upgrade to Dunaway Community Center Fire Alarm System

Motion made by David Barton and second by Barbara Dailey (for discussion) to approved \$18,000 for the Upgrade to the DCC Fire Alarm System; motion fails 2-3.

Budget Committee voted 5-0 for \$0.

Wharf Lane Bridge

Motion made by Robert Winn and second by Chris Jarochym to approve \$35,000 for the Wharf Lane Bridge Project; approved 5-0.

Budget Committee voted 5-0 for \$35,000.

Perkins Cove Pilings/Ramps

Motion made by Robert Winn and second by David Barton to approve \$12,000 for the Perkins Cove Pilings/Ramp Project; approved 5-0.

Budget Committee voted 5-0 for \$12,000.

Perkins Cove Back Lot Project

Motion made by David Barton and second by Robert Winn to approve \$38,000 for the Perkins Cove Back Lot Project; approved 5-0.

Budget Committee voted 5-0 for \$38,000.

Land Conservation

Motion made by David Barton and second by Robert Winn to approve \$25,000 for the Land Conservation Fund; approved 4-1, John Daley in opposition.

Budget Committee voted 4-0-1 for \$0.

General Government

Motion made by John Daley and second by David Barton to approve \$757,433 for General Government Budget.

Motion made by John Daley and second by David Barton to withdraw the original motion.

Motion made by David Barton and second by Robert Winn to approve \$779,433 for General Government Budget; approved 3-2, John Daley and Chris Jarochym in opposition.

Budget Committee voted 5-0 for \$779,433.

Parks & Recreation

Motion made by David Barton and second by Robert Winn to approve \$15,000 for the Parks & Recreation Department Budget; approved 4-1, John Daley in opposition.

Budget Committee voted 5-0 for \$8,000.

Performing Arts

Motion made by Robert Winn and second by David Barton to approve \$10,000 for the Ogunquit Performing Arts Committee Budget; approved 5-0.

Budget Committee voted 4-0 for \$10,000.

Land Use Department

Motion made by Robert Winn and second by David Barton to approve \$314,928 for the Land Use Department Budget; approved 5-0.

Budget Committee voted 5-0 for \$314,928.

Visitor Services

Motion made by John Daley and second by Chris Jarochym to approve \$151,942 for the Visitor Services Department Budget; approved 4-1, David Barton in opposition.

Budget Committee voted 4-1 for \$151,942.

Police Department

Motion made by David Barton and second by Chris Jarochoym to approve \$1,319,000 for the Police Department Budget; approved 5-0.

Budget Committee voted 5-0 for \$1,304,000.

The Select Board will meet next Tuesday, April 9th to finalize the budget.

A brief recess was taken at 7:04pm.

7:00PM – CALL BUSINESS MEETING TO ORDER

Business Meeting called to order at 7:14pm.

Members present: Barbara Dailey, Chair
David Barton, Vice Chair
John Daley
Christopher Jarochoym
Robert Winn, Jr.

Others present: Thomas A. Fortier, Town Manager

Business meeting called to order at 7:12pm.

2.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Selectman Jarochoym.

3.0 REQUEST TO APPROVE SELECT BOARD MINUTES

3.1 March 19, 2013 – tabled until next meeting.

4.0 TOWN MANAGER'S REPORT

- Read letter regarding the fire/rescue department call that occurred during Winter Storm Nemo.
- Nomination papers are now available, due back April 26, 2013.
- MDOT will hold an Open House on May 8th at the Dunaway Community Center from 9:00am to 2:00pm regarding the Route One Project.
- Second half of tax bills are due on May 1st.
- The Transfer Station will resume summer hours on May 1st.
- The Town Office will be closed on Patriot's Day, April 15th.
- Drug Take Back Day will be on April 27th at the Transfer Station.

- The Police Department along with other agencies will hold a workshop on regarding “Counterfeit Money” on May 21st.
- The Police Department and Hotel/Motel owners will hold a workshop on “Domestic Violence”.
- Parking Lots are open the weekend after Patriot’s Day.
- It has been reported by local Hotels/Motels that reservations are up compared to last year at this time.
- It has also been reported that the restaurants in town have shown increases this spring over last spring.
- The town bathrooms will open as soon as Kennebunk, Kennebunkport and Wells Water District turns on the water, expected to be by April 15th.
- Town Departments are in the process of hiring seasonal staff.
- Union Negotiations are expected to start this month.
- The RFP for the Public Works Building is ready to be sent out once the site is chosen.
- The Harbormaster reported that the Perkins Cove Bridge repairs have been completed, as well as repairs to the pilings and ramps.
- Wharf Lane Bridge mandatory site walk will be held on Wednesday, April 3rd.
- It is estimated that damages to the Marginal Way during the recent storms is about \$50,000.
- FEMA has declared “Winter Storm Nemo” for February 8th and 9th.

5.0 PUBLIC INPUT

Lesley Mathews

- Comments regarding the DPW Building and idling of vehicles at the Berwick Road intersection with Route One.
- Question regarding the “F” intersection and possible future law suits.

Martin Crosby

- Comments about the use of the Berwick Road intersection by Town vehicles.

Cindy Douglass

- Plovers have arrived, a nesting pair, at #8.

Percy Stevens, Jr.

- Comments regarding the location of the new Public Works Building.

6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

6.1 Committee Resignation – Sue Pollard, Trustee for the Wells-Ogunquit CSD

It was the consensus of the Select Board to accept the resignation of Sue Pollard as a Trustee for the Wells-Ogunquit CSD.

7.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Robert Winn to call the public hearing to order at 7:37pm.

- 7.1 Credit Card Presentation – *Thomas A. Fortier, Town Manager*
Presentation by Peoples United Bank on a Credit Card System for Town Parking Lots

Representatives from Peoples United Bank, Kevin Kilelee and Tammy Buchanan were present to give a brief overview of the services that will be provided for credit card services at all the town parking lots.

- 7.2 Backyard – *New Application for a Malt & Vinous Liquor License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Representation from the Backyard was present for the meeting.

040213-02 Motion made by Robert Winn and second by David Barton to approve the New Application for a Malt & Vinous Liquor License for Backyard; approved 5-0.

- 7.3 Beach Fire Bar & Grille – *Renewal Application for Malt, Spirituous & Vinous Liquor License*

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

Representation from the Beach Fire Bar & Grille was present for the meeting.

040213-03 Motion made by Robert Winn and second by Chris Jarochoym to approve a Renewal Application for Malt, Spirituous & Vinous Liquor License for the Beach Fire Bar & Grille; approved 5-0.

- 7.4 Beach Fire Bar & Grille – *Renewal Application for an Amusement License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

040213-03 Motion made by Robert Winn and second by Chris Jarochoym to approve a Renewal Application for an Amusement License for the Beach Fire Bar & Grille; approved 5-0.

- 7.5 Leavitt Theatre – *New Application for a Malt & Vinous Liquor License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.
Representation from the Leavitt Theatre was present for the meeting.

A question was asked by Selectman Daley regarding the number of seats that would be served. Mr. Clayton stated that it would be only in the balcony, in the box seats, at this time.

Selectman Jarochoym asked if this would be a change of use. Planning Board Chair, Don Simpson, stated that, at this time, he would say it is a change of use.

040213-04 Motion made by Robert Winn and second by David Barton to approve a New Application for a Malt & Vinous Liquor License for the Leavitt Theatre; approved 5-0.

7.6 Leavitt Theatre – *Renewal Application for an Amusement License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

040213-04 Motion made by Robert Winn and second by David Barton to approve a Renewal Application for an Amusement License for the Leavitt Theatre; approved 5-0.

7.7 Ogunquit Playhouse – *Renewal Application for a Malt & Vinous Liquor License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance

Representation from the Ogunquit Playhouse was present for the meeting.

040213-05 Motion made by Chris Jarochoym and second by David Barton to approve a Renewal Application for a Malt & Vinous Liquor License for the Ogunquit Playhouse; approved 5-0.

7.8 Ogunquit Playhouse – *Renewal Application for an Amusement License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

040213-05 Motion made by Chris Jarochoym and second by David Barton to approve a Renewal Application for an Amusement License for the Ogunquit Playhouse; approved 5-0.

7.9 Roberto's – *Renewal Application for Malt, Spirituous & Vinous Liquor License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Representation from Roberto's was present for the meeting.

040213-06 Motion made by Robert Winn and second by David Barton to approve a Renewal Application for Malt, Spirituous & Vinous Liquor License for the Roberto's; approved 5-0.

7.10 Roberto's – *Renewal Application for an Amusement License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

040213-06 Motion made by Chris Jarochoym and second by David Barton to approve a Renewal Application for an Amusement License for the Roberto's; approved 5-0.

7.11 Proposed Amendments to the Shellfish Management Ordinance – *Shellfish Commission*

To allow public comments and questions on proposed amendment:

Title IV, Shellfish Management Ordinance: Chapter 6 §605.a – Types of License/Permit

No comments from the public in attendance.

7.12 Proposed Amendments to the Zoning Ordinance- *Donald Simpson, Planning Board Chair*

To allow public comments and questions on proposed amendments:

Title X, Zoning Ordinance: Article 6 §6.6 – Procedures for Site Review

Title X, Zoning Ordinance: Article 8 §8.13 – Traffic Impacts and Street Access Control

No comments from the public in attendance.

7.13 Citizen's Petition- *Chairwoman Dailey*

To allow public comments and questions on the proposed petitioned article presented by Judy Dennis, owner of Bandito's, on behalf of the citizens of Ogunquit to extend the Ogunquit Business District

No comments from the public in attendance.

7.14 Public Forum – *Chairwoman Dailey*

To allow public comment on FY 2013-2014 Budget

No comments from the public in attendance.

Motion made by Robert Winn and second by Chris Jarochoym to adjourn the Public Hearing at 8:02pm; approved 5-0.

8.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

8.1 New DPW Building

Select Board Action/Approval regarding Site Location for the New Public Works Building

040213-07 Motion made by David Barton and second by Barbara Dailey (for discussion) to designate the area known as the Salt Shed site as the site for the new Public Works Building.

Motion fails 2-3; Barton and Dailey in favor, Daley, Jarochoym and Winn in opposition.

- 040213-08** Motion made by Chris Jarochoym and second by John Daley to accept for the public works building the location on Berwick Road next to the Transfer Station; 3-2, Barton and Dailey in opposition.

9.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

9.1 Application for a License to Operate Beano – Ogunquit Fire Company

To request Select Board Approval for an Application submitted by the Ogunquit Fire Company to the State of Maine to hold *Beano* during the months of July and August 2013

Shannon Bridges, Secretary/Treasurer of the Ogunquit Fire Company, was present to respond to any comments or questions from the Select Board.

- 040213-09** Motion made by Robert Winn and second by David Barton to approve the State of Maine Application to Operate Beano or Game of Chance for the Ogunquit Fire Company; approved 5-0.

9.2 “Christian’s Lifeguard Dash”- Laura Rose

To request Select Board Approval to hold a 5K Memorial Running Race on Ogunquit Beach on June 29, 2013

Laura Rose was in attendance to request approval from the Select Board to hold the 3rd Annual Christian’s Lifeguard Dash.

Ms. Rose stated that 10:00am is the start time for the run and that a brunch will be held at Rose Cove Cafe afterward the race. Laura thanked Rick Dolliver, Jerry DeHart and John Mixon, her three biggest supporters. Thanked the Town of Ogunquit for all the support it provides.

- 040213-10** Motion made by Robert Winn and second by David Barton to approve the request to hold the 5K Memorial Running Race at Main Beach on June 29, 2013; approved 5-0.

9.3 “Paddle to the Point” – Jon Sevigney, P2P Board Member

To present proceeds to the Town from the 2012 Paddle to the Point fundraiser; and to request Select Board Approval to hold a “Paddle to the Point” fundraiser July 2013 at the Ogunquit Main Beach

Jon Sevigney was in attendance to present a check for \$3,433 to donate to Parks & Recreation. Thanked Lucas Sevigney, Jose Perez, Mark Anastas, John Mixon and all the volunteers who helped with the event last year.

9.4 Dunaway Center Bathroom Remodels RFP – *Thomas A. Fortier, Town Manager*
To award the bid for the Dunaway Center Bathroom Remodels

Nine bid packets were sent out; four contractors attended the mandatory site walk.
Bid results are:

David DiPietro, General Contractor	\$28,540
Littlefield Brothers, Inc.	\$29,500
Centore Design-Build, Inc.	\$30,990
Coastal General Construction, Inc.	\$34,515

040213-11 Motion made by Robert Winn and Chris Jarochoym to approve the bid from David DiPietro, General Contractor for the Dunaway Center Bathroom Remodel for \$28,540; approved 5-0.

Thank you to Jerry DeHart, Coastal General Construction, for all the work that he put in to develop the bid packet.

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

10.1 Public

Lou Rioux

- Comments regarding the proposed Shellfish Permit Ordinance Amendment.

Everett Leach

- Response to the comments regarding the proposed Shellfish Permit Ordinance Amendment.

10.2 Select Board

Selectman Winn

- Thank you to Laura Rose and Jon Sevigney paddle to the point

Selectman Jarochoym

- Comments regarding the budget process; open to comments or questions from residents.

Selectman Barton

- Comments on the vote regarding the public works building, and comments on the Marginal Way vote.

10.0 ADJOURNMENT

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 9:10pm; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager