



**SELECT BOARD
MEETING MINUTES
TUESDAY, APRIL 16, 2013**

BUDGET WORKSHOP MEETING - 5:00PM

Select Board Workshop to Discuss Budget Recommendations

1.0 CALL TO ORDER - 6:00PM

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

Others present: Thomas A. Fortier, Town Manager

2.0 PLEDGE OF ALLEGIANCE

A moment of silence was observed for the loss of one of the town's long time members of the community, Percy Stevens, Sr.; in addition thoughts and prayers to those affected by the bomb blast in Boston.

The Pledge of Allegiance was led by Selectman Daley.

3.0 REQUEST TO APPROVE SELECT BOARD MINUTES

3.1 March 19, 2013 - the minutes of the March 19, 2013 Select Board meeting were approved as presented.

3.2 April 2, 2013 - the minutes of the April 2, 2013 Select Board meeting were approved as amended.

3.3 April 9, 2013 - the minutes of the April 9, 2013 Select Board meeting were approved as amended.

4.0 TOWN MANAGER'S REPORT

- Comments regarding the Boston bomb and the loss of Percy Stevens, Sr.
- Drug Take Back Program at Transfer Station on April 27, 2013.
- MDOT Open House regarding Route One will be on May 8, 2013 from 9:00am to 2:00pm.

- Town Clerk Judy Kagiliery has announced her resignation, after 30 years, effective June 30, 2013.
- Finalizing interviews for Code Enforcement Officer.

5.0 PUBLIC INPUT

There were no comments or questions from the public in attendance.

6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

7.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Robert Winn and second by Chris Jarochoym to open the public hearing at 6:07pm; approved 5-0.

- 7.1 Blue Water Inn – *Renewal Application for Malt, Spirituous & Vinous License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.
Roger LaPierre was present for the meeting.

041613-01 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for the Blue Water Inn; approved 5-0.

- 7.2 Blue Water Inn - *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.

041613-01 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal for Blue Water Inn; approved 5-0.

- 7.3 La Pizzeria – *Renewal Application for a Malt & Vinous License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Gennaro Annuziata was present for the meeting.

041613-02 Motion made by Robert Winn and second by Chris Jarochoym to approve a Malt & Vinous License Renewal for LaPizzeria; approved 5-0

- 7.4 Pizza Napoli - *Renewal Application for Malt, Spirituous & Vinous License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

David Giarusso was not able to attend due to illness.

041613-03 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Pizza Napoli; approved 5-0.

7.5 Tapas on the Square – *Renewal Application for Malt, Spirituous & Vinous License* Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

041613-04 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Tapas on the Square; approved 5-0.

7.6 Tapas on the Square- *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.

041613-04 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal for Tapas on the Square; approved 5-0.

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

Rick Dolliver was not present due to a time posting issue.

041613-05 Motion made by Robert Winn and second by John Daley to approve the Malt, Spirituous & Vinous License Renewal for That Place; approved 5-0.

7.8 That Place in Ogunquit- *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.

No action taken on this agenda item.

7.9 The Front Porch – *Renewal Application for Malt, Spirituous & Vinous License* Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Wayne Wescott was present for the meeting.

041613-06 Motion made by David Barton and second by Robert Winn to approve the Malt, Spirituous & Vinous License Renewal for The Front Porch; approved 5-0.

7.10 The Front Porch- 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.

041613-06 Motion made by David Barton and second by Robert Winn to approve the Amusement License Renewal for The Front Porch; approved 5-0.

7.11 Citizen’s Petition for Relocation of the Public Works Building – John Mixon

Petition to Request the Change of Site Plan from the Transfer Station to the Salt Shed

Stillman Bradish was in attendance to address comments and questions, instead of John Mixon, for the public hearing on this item.

Motion made by Robert Winn and second by David Barton to close the public hearing at 6:32pm; approved 5-0.

8.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

8.1 FY 2013-2014 Fiscal Year Budget – Chairwoman Dailey

Select Board Final Recommendations on the 2013-2014 Fiscal Year Budget

2013-2014 Budget Article	Select Board	Yes	No	Budget Committee	Yes	No	A
General Government	\$799,433	3	2	\$799,433	5	0	
Parks & Recreation	\$15,000	4	1	\$8,000	5	0	
Performing Arts	\$10,000	5	0	\$10,000	4	0	
Land Use Department	\$314,928	5	0	\$314,928	5	0	
Visitor Services	\$151,942	4	1	\$151,942	4	1	
Police Department	\$1,340,000	4	1	\$1,325,000	3	0	
Fire Department	\$1,065,383	4	1	\$1,065,383	4	0	1
Lifeguard Services	\$135,680	5	0	\$135,680	5	0	
Utilities	\$185,750	5	0	\$185,750	5	0	
Public Works	\$899,383	5	0	\$899,383	3	2	
Transfer Station	\$361,102	5	0	\$361,102	5	0	
Harbormaster	\$113,155	5	0	\$113,155	5	0	
Welfare/General Asst.	\$3,000	5	0	\$3,000	5	0	
Insurance	\$168,421	5	0	\$168,421	3	0	
Admin Services	\$384,430	5	0	\$384,430	5	0	
Conservation Comm.	\$13,215	5	0	\$13,215	4	0	1
Information Services	\$50,935	5	0	\$50,935	5	0	
Shellfish Commission	\$12,354	5	0	\$12,354	5	0	
Piping Plover	\$5,883	5	0	\$5,883	5	0	
American Legion	\$500	5	0	\$500	3	0	
Cemeteries	\$1,800	5	0	\$1,800	3	0	
W-O Historical Soc.	\$5,000	5	0	\$5,000	3	0	

Debt Management	\$761,822	5	0	\$761,822	3	0	
Unemployment Res.	\$9,000	5	0	\$9,000	5	0	
Accrued Liability Res.	\$40,000	5	0	\$40,000	5	0	
Contracts & Salary Adj.	\$5,000	5	0	\$5,000	5	0	
Pumper Replacement	\$300,000	4	1	\$0	4	0	1
Street Sweeper	\$195,000	3	2	\$195,000	4	1	
Utility Tractor	\$0			\$0	5	0	
Flail Mower	\$0	3	2	\$0	5	0	
Backhoe	\$90,000	5	0	\$90,000	5	0	
Dunaway Roof	\$68,000	5	0	\$68,000	5	0	
Main Beach Roof	\$26,000	5	0	\$26,000	5	0	
4x4 Pickup Truck	\$30,000	5	0	\$30,000	4	1	
Comfort Stations	\$90,000	5	0	\$90,000	3	2	
Rehab Dunaway Interior	\$30,000	5	0	\$30,000	4	1	
Rehab Main Beach Awning	\$20,000	3	2	\$0	5	0	
Main Beach Fencing	\$20,000	5	0	\$20,000	5	0	
Upgrade DCC Fire Alarm	\$0	3	2	\$0	5	0	
Wharf Lane Bridge*	\$20,000	5	0	\$20,000	5	0	
Perkins Cove Pilings/Ramps*	\$12,000	5	0	\$12,000	5	0	
Perkins Cove Back Lot*	\$38,000	5	0	\$38,000	5	0	
Land Conservation	\$25,000	4	1	\$0	4	0	1
Parking Lot Revenues	\$1,425,000	5	0				

041613-07 Motion made by Robert Winn and second by David Barton to approve the 2013-2014 Budget Articles; approved 5-0.

041613-08 Motion made by John Daley and second by Robert Winn to fund the following CIP items from Undesignated Fund Balance:

Pickup Truck	\$30,000
DCC Interior Rehab	\$30,000
Main Beach Awning	\$20,000
Main Beach Roofing	\$26,000
Perkins Cove Back Lot	\$38,000
Wharf Lane Bridge	\$20,000
Perkins Cove Pilings	\$12,000
Beach Fencing	\$20,000
Conservation Reserve	\$25,000
	\$221,000

Approved 5-0

041613-09 Motion made by John Daley and second by Robert Winn to fund the following items on the CIP list through bonding:

Pumper Replacement	\$300,000
Street Sweeper	\$195,000
Transfer Station Backhoe	\$90,000
Restroom Rehab	\$90,000
DCC Roofing	<u>\$68,000</u>
	\$734,000

Approved 5-0

8.2 Certification of Official Text – “An Ordinance to Amend the Ogunquit Zoning Ordinance to Adjust Traffic Standards in Response to a Decision of the Maine Supreme Judicial Court” – *Judy Shaw-Kagiliery, Town Clerk*
Select Board Review and Action on the Official Ordinance Text Submitted by the Town Clerk

This agenda item was tabled until another meeting of the Select Board is called.

8.3 Certification of Official Text – “An Ordinance to Amend the Pesticide/Herbicide Usage on Town Owned Lands to Include a Ban on Both Public and Private Lands” – *Judy Shaw-Kagiliery, Town Clerk*
Select Board Review and Action on the Official Ordinance Text Submitted by the Town Clerk

041613-10 Motion made by Robert Winn and second by David Barton to accept this ordinance to amend the Pesticide/Herbicide Usage on Town Owned Lands to Include a Ban on Both Public and Private Lands; approved 5-0.

8.4 Certification of Official Text – “An Ordinance to Amend the Ogunquit Shellfish Management Ordinance to Clarify Types of Shellfish Licenses and Permits Available to the Public” – *Judy Shaw Kagiliery, Town Clerk*
Select Board Review and Action on the Official Ordinance Text Submitted by the Town Clerk

041613-11 Motion made by Robert Winn to accept the “Ordinance to Amend the Ogunquit Shellfish Management Ordinance to Clarify Types of Shellfish Licenses and Permits Available to the Public” and second by David Barton; approved 5-0.

8.5 Citizen’s Petition
Select Board Review and Action 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

041613-12 Motion made by David Barton and second by Robert Winn that (we) included on the Town Warrant Article #10 – Shall the Town vote to extend the Ogunquit Business District from its current location at School Street south towards Shore Road to Fireman’s Park at total of about 40 yards; and from Shore Road west along the side of Fireman’s Park to the Residential District at the Fire Station about 33 yards; approved 5-0.

8.6 Land Conservation Stewardship Article

Select Board Review and Action on Use of \$15,000 from the Land Conservation Fund

041613-13 Motion made by Robert Winn and second by Chris Jarochoym to approve the use of \$15,000 from the Land Conservation Fund for a one-time stewardship contribution to the Great Works Regional Land Trust, Article #9; approved 5-0.

9.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

9.1 Citizen’s Petition Certification Notice

Select Board Review and Action on the Town Clerk Certification of a Petition to Request the Change of Site Plan from the Transfer Station to the Salt Shed

041613-14 Motion made by Robert Winn and second by Chris Jarochoym to approve the Citizen’s Petition for the change of site plan from the Transfer Station to the Salt Shed; approved 5-0.

9.2 FY 2012-2013 Articles – Thomas A. Fortier, Town Manager

Review and Action on Two Proposed Articles – Unanticipated Accrued Liabilities Account and Unanticipated Costs in the General Liability & Workers Compensation Account

041613-15 Motion made by David Barton and second by Robert Winn to include as Article #12 on the Town Warrant the wording:

“Shall the Town vote to transfer \$25,000 in additional funds from the Undesignated Fund Balance to the Accrued Liabilities Account to fund unanticipated Employee Paid Time Off and Buy-outs in the 2012-2013 budget year?

And to include Article #13;

“Shall the Town vote to transfer \$27,000 in additional funds from the Undesignated Fund Balance to the Insurance Account to fund unanticipated costs in the General Liability and the Worker’s Compensation Account in the 2012-2013 budget year?

Approved 5-0

- 9.3 Order for the June 11, 2013 Annual Town Meeting – *Judy Shaw-Kagiliery, Town Clerk*
Selectman Approval of the Order for Warrant Articles for the June 11th Annual Town Meeting

This agenda item was tabled until the next meeting of the Select Board is called.

- 9.4 Wharf Lane Bridge RFP – *Thomas A. Fortier, Town Manager*
Select Board Review and Action on the Wharf Lane Bridge Project Bid

Ten Contractors were present for the mandatory site walk; three bids were turned in. Town Manager Fortier recommended that Maritime Construction be awarded the bid.

041613-17 Motion made by Robert Winn and second by David Barton to accept the bid for \$18,913 from Maritime Construction for the Wharf Lane Footbridge Project; approved 5-0.

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

10.1 Public

Stillman Bradish

- Commented on statements made by Selectman Jarochem.

10.2 Select Board

Selectman Winn

- Comment out to Mr. Mixon in appreciation for getting involved in what happened in Boston, outstanding!
- Commented on the loss of friendships because of term in office as Selectman; learned valuable lessons from the experience.

Selectman Barton

- Commented on John Miller and his knowledge of the Salt Shed land deed.

Selectman Daley

- Read one sentence from the Woodard & Curran proposal: “This list is not intended to a complete list of every possible comparison, there are many intangibles that are part of the decision making on a project like this which cannot be included in this basic analysis.”

- Shared comments about the York County Coast Star, two articles that were printed.

Selectman Jarochym

- Recognized those who lost family members and those who suffered injuries in the Boston tragedy.
- Thank you to the Veteran's for their past and present service to our country and the recognition on Patriot's Day of those that have helped around town with the events this past weekend.
- Commented on Mr. Bradish's statements.
- Would love to see our community come together to help each other out.

Chairwoman Dailey

- Committees have put in a lot of work; the Budget Review Committee into the budget, the Select Board into the PWD building. Reiterated to the voters, the invitation to get educated, read the information packet, asks questions, and call Select Board members or Town Manager.

11.0 ADJOURNMENT

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 7:59pm; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager