



**SELECT BOARD  
MEETING MINUTES  
OCTOBER 1, 2013**

**1.0 EXECUTIVE SESSION – 5:00PM**

Motion made by Robert Winn and second by David Barton to go into Executive Session to discuss Personnel [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.A] and Legal [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.E]; at 5:03pm; approved 5-0.

Motion made by Robert Winn and second by David Barton to close Executive Session at 5:57pm; approved 5-0.

No decisions were made during the Executive Session.

**2.0 CALL BUSINESS MEETING TO ORDER**

Meeting called to order at 6:03pm.

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

Others present: Thomas A. Fortier, Town Manager

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Selectman Jarochoym.

**4.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

4.1 September 17, 2013 Select Board Meeting Minutes  
The minutes of the September 17, 2013 Select Board Meeting were approved as presented.

4.2 September 19, 2013 Select Board Special Meeting Minutes  
The minutes of the September 19, 2013 Select Board Special Meeting were approved as presented.

**5.0 TOWN MANAGER'S REPORT**

As reported by the Town Manager on the Ogunquit web page:

- Town Staff has been formulating new and updated Street Opening Permit rules. Secondary to all of the recent upgrades (North Village Road, Berwick Road, and Route 1 (2015), we feel it is important to protect the infrastructure and integrity of our roads. When a contractor or utility company needs to apply for a street opening permit, the new ordinance will consider the condition of the road and assign a value to the cost of repairing the road to its current condition.
- The Town's undesignated fund balance ending 6/30/13 was \$2,597,68. I am proud to report that this is the highest it has been in the past decade. This is quite an accomplishment factoring in the sluggish economy, the increase in expenditures and declining revenues, and to say the least, today the Federal Government has shut down!

The history of Town Undesignated Fund Balance:

2009: \$1,784,910  
2010: \$2,513,369  
2011: \$2,216,407  
2012 \$2,182,273  
2013 \$2,597,685

The Town Beach revenue has also showed growth in the recent years:

2013 \$1,674,077  
2012 \$1,572,727  
2011 \$1,587,340

...In 2000 it was only \$779,036 (nearly 1 million dollars less than today!)

- The Select Board and Town Managers from Wells/Ogunquit will meet with the School Board and the new Superintendent, Ellen Schneider, on Monday October 7<sup>th</sup>. The purpose of the meeting is to foster working relationships and to share the short and long term goals of each board.
- Residents can watch the Wells-Ogunquit CSD Public Hearing on 10/2/2013. You can watch it live by accessing the link on the town web page. Please do your part in making an informed decision when you vote this November.
- Dogs are now permitted on **Ogunquit Beach** and **Marginal Way** from October 1<sup>st</sup> thru March 31<sup>st</sup> 2014. Dogs, however, are never permitted on the riverside.

**Finance/Treasurer/Clerk:**

- The Town staff has mailed out 187 notices to lien (30 day lien notices). Interestingly, of the 187 tax liens, over 100 are timeshares.
- The Town Clerks office is working on the ability to issue License Plates at our very own town office. This will eliminate resident trips to Kennebunk.
- The Treasurer has secured our 2 million dollars, set-aside for sidewalks, into an escrow account. This is important because we have now met the Federal Government's demand to utilize the funds. We did not want to lose control of such funds by handing them over to the Maine Department of Transportation. It also allows the Town to control expenditures when the Route 1 project gets going (2015). The project is now at \$12 Million and it includes the repair of both bridges at each town line.
- The sales tax rate increased today (October 1<sup>st</sup>) from 5 % to 5.5% and the meals & lodging tax increased to 8%. Businesses that file sales tax returns semi-annually will have to file an extra return for sales ending September 30. Supposedly, the tax increase will sunset in 2015.

**Maintenance/DPW:**

- The Planning Board approved the site plan application for the New Public Works Building on 9/23/2013. The site work (blasting) has begun!
- You may have noticed a new "Big Belly" compactor located at Veterans Park and also on Main Street. These are solar powered and take 5 times the amount of trash than a normal trash can. If all works as advertised, the use of these compactors will eliminate trips by our trash trucks and alleviate some summer traffic! The compactors signal the operator when they are full, eliminating the need to continuously check them.
- Here are just a few of the hundreds of things that keeps our staff busy:
  - Staff addressed bricks causing a trip hazard at Rotary Park yesterday.
  - The telephone booth at the end of Cottage Street and Shore Road has been removed.
  - Loose boards on the Wharf Lane Bridge have been re-nailed.
  - Dorothea Jacobs Grant Common Park has received a fall clean up.
  - Staff replaced rip-rap to secure stability at the North Beach parking lot, providing much needed attention to erosion issues.
  - Staff made the switch to a 300-amp panel (currently 600-amp main with 400-amp panel) at the Dunaway Center.
  - Three (3) new rooms for storage additional office space has been added downstairs at the Dunaway Community Center (work performed in-house).

- We will be removing 2 large Ash trees on Beach Street. These two trees are diseased and are at risk of falling.
- Continually aware of high counts of contamination in the Riverside Beach and river area, staff and Conservation Committee members advised the Ogunquit Sewer District of visible seepage on Wharf Lane traveling into the river mouth. Immediate investigation and action by the Ogunquit Sewer District uncovered broken sewer lines, which were then replaced and reconnected to the sewer system. (No small job!) Current testing has shown positive (clean) results.

**Code Enforcement/Land Use Office:**

- A recent law that was passed allows a municipality to authorize the Code Enforcement Officer and the Fire Chief to enforce the most current codes adopted by the state. The staff would like to incorporate this ability to do so. This prevents the town from having to continually adopt the most current versions, which can change yearly. If passed, we could remove the local language that refers to the Life Safety Codes, one of which in our Title 2 Code, references a 1994 code.

**Transfer Station**

- **A Reminder** - beginning on November 20, 2013, the Transfer Station will be closed every Wednesday until April.
- Staff at the Transfer Station has painted the large containers.
- General maintenance to the compactor was performed recently; the heaters, thermostats, and holding tanks were drained.
- The Transfer Station will be closed on Columbus Day, Monday, October 14th.

**Police Department**

- A hearty thank you to our Police Officer's who have seen a very busy summer. This past weekend alone, officers responded to a suicide, a drug overdose, domestic violence intervention, intoxicated patrons refusing to leave an establishment, and the list goes on. Most of us have not stopped to think about what these men and women endure on a daily basis.

**Fire Department:**

- Similarly, our Paramedics and Firefighters deserve a public thank you for all their good work. They are experienced and compassionate. If you have had an occasion when you needed their assistance, then you know exactly what I am referring to.

**Dates to remember:**

October 2: Wells-Ogunquit CSD Public Hearing on New High School and \$27M Bond

October 9<sup>th</sup>: Marginal Way Donor's plaque ribbon cutting ceremony (on location)  
October 14<sup>th</sup>: Planning Board meeting  
October 15<sup>th</sup>: Select Board meeting  
October 29<sup>th</sup>: Planning Board meeting  
November 5<sup>th</sup>: Special Town Meeting

**6.0 PUBLIC INPUT**

Chair Dailey read a letter from Patience Prescott Sundaresan.

Ben Hershenson - rebuttal comments to the letter read by Chair Dailey.

**7.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

7.1 Local Health Officer Appointment – *Thomas A. Fortier, Town Manager*  
Select Board Action on the Appointment of Scott Heyland as the Town's Local Health Officer

**100113-01** Motion made by Chris Jarochoym and second by David Barton to accept the appointment of Scott Heyland as Local Health Officer for the Town of Ogunquit, term ending June 30, 2016; approved 5-0.

**8.0 PUBLIC HEARINGS, PRESENTATION**

Motion made by Robert Winn and second by David Barton to open the public hearing at 6:16pm, approved 5-0.

8.1 Gary Sinden, York County Commissioner  
York County Budget and Business Report on the York County Commissioners State of Affairs

Mr. Sinden presented information packets to all members of the Select Board regarding the dispute with the York County Budget Committee.

8.2 Admiral's Inn, 87 Main Street – *Malt, Spirituous & Vinous License Renewal*

**100113-02** Motion made by Chris Jarochoym and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for the Admiral's Inn; approved 5-0.

8.3 Admiral's Inn 87 Main Street – *Amusement License Renewal*

**100113-02** Motion made by Chris Jarochoym and second by David Barton to approve the Amusement License Renewal for the Admiral's Inn; approved 5-0.

8.4 Jonathan's Restaurant, 92 Bourne Lane - Malt, Spirituous & Vinous License Renewal

**100113-03** Motion made by Chris Jarochoym and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Jonathan's Restaurant; approved 5-0.

8.5 Jonathan's Restaurant, 92 Bourne Lane - Amusement License Renewal

**100113-03** Motion made by Chris Jarochoym and second by David Barton to approve the Amusement License Renewal for Jonathan's Restaurant; approved 5-0.

8.6 Shellfish Conservation Commission – Fred Mayo, III, Harbormaster  
Recommendations from the Shellfish Conservation Commission relative to the anticipated opening of the Clam Flats for the 2013-2014 Season

Fred Mayo, Harbormaster and Clam Warden, along with Everett Leach, Shellfish Conservation Commission Member, reviewed the proposed number of licenses to be sold, the cost of the licenses and the dig dates.

Motion made by David Barton and second by John Daley to close the public hearing at 7:05pm; approved 5-0.

**9.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

9.1 Agamenticus Field Upgrade – Lucas Sevigney  
Request to improve ballfield at Agamenticus Park

This agenda item was tabled.

**10.0 ADMINISTRATIVE ITEMS – NEW BUSINESS**

10.1 Shellfish Conservation Commission – Fred Mayo, III, Harbormaster  
Select Board Action on the Recommendations from the Shellfish Conservation Commission relative to the opening of the clam flats and fees for the sale of clam licenses

**100113-04** Motion made by David Barton and second by Chris Jarochoym to approve the Shellfish Conservation Commission recommendation as presented; approved 5-0.

**11.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATION FOLLOW-UP**

11.1 Public

No comments from the public

11.2 Select Board

Motion made by David Barton and second by Chris Jarochem to adjourn meeting for a brief recess at 7:11pm; approved 5-0.

**12.0 WORKSHOP – SELECT BOARD PRIORITIES – 7:30PM**

**13.0 ADJOURNMENT**

Motion made by and second by to adjourn the meeting at \_\_pm; unanimous vote to adjourn.

Respectfully Submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager