



**SELECT BOARD  
MEETING MINUTES  
DECEMBER 3, 2013**

**1.0 EXECUTIVE SESSION – 5:00PM**

Legal [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.E]

**2.0 CALL TO ORDER – 6:00PM**

Meeting called to order at 6:00pm

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 Barton

**4.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

4.1 November 12, 2013 – The minutes of the November 12, 2013 Select Board meeting were accepted as submitted.

**5.0 TOWN MANAGER'S REPORT**

**Town Manager's Report to the Select Board [as posted on the Town web page]**

Congratulations to our Community! Congratulations to the Leavitt Theatre!! Together we have raised the monies necessary to purchase a digital camera and to allow the 90-year old gem, and undoubtedly a piece of Americana, to remain on Main Street Ogunquit.

The Playhouse Winter Box Office (another example of community) has taken up winter residence at the former Land Use Office on Route One. This is a temporary collaboration between the Town and the Playhouse administration.

The Annual Town Committees Holiday Party will take place December 12<sup>th</sup> from 12:00-2:00pm at the Dunaway Center. Please contact Cheryl for more information. Hope to see you there!

The Town would like to publically acknowledge Laura Rose (Christopher, Nicholas, Kevin and Zander) for their recent donation of wetsuits for all the town lifeguards. Past year donations include a rescue board, a trailer, a jet ski...all in memoriam of son, brother and lifeguard Christian Lumenello. Ogunquit Beach is the best equipped and safest beach in the State!

**Budget:**

The 5-year Capital Improvement Plan Budgets are due to the Town Manager from all Department Heads on 12/03/13. This process marks the start of the town budget season.

**General Government:**

We have received 31 applications for the Town Treasurer position, which will be left vacant upon Judy Yates retirement on January 3, 2014. (We will make special recognition of Judy's retirement at the December 12<sup>th</sup> Holiday party).

We have collected and destroyed ALL individual town issued credit cards from Department Heads, including the Town Manager. All credit card accounts have been closed. This will assist administration with best practice procedures (i.e. checks and balances) for all future purchases.

Our staff has met with Peoples United Bank to check out the possibilities of a "lock box" service for tax payments. This service would assist with efficiencies with the Tax Collection process for property owners and staff alike. Basically, this service would allow tax payments to be sent directly to a bank, bypassing town hall.

Our Staff continue to work on the development of the motor vehicle program by offering residents the complete vehicle registration service. Soon you will be able to pay the sales and excise tax, complete the title application and get vehicle plates here at the Dunaway Center. We hope to have the program rolled out by the spring.

The staff will be attending a citizen transparency webinar with MUNIS on December 19<sup>th</sup>. This program would allow data (such as weekly expenditures) to be accessible on the Town web page. Improving citizen access to data will increase accountability, trust and participation. This hosted service presents our data in a highly-visual style that is easily understood. Data can be viewed by category, department, vendor and more. If needed, citizens can also dive into the data to see individual transaction details. Dynamic graphs and bar charts with up-to-date, searchable data, single click access from your website.

**Transfer Station:**

The Transfer Station has begun its winter schedule and will be closed on Wednesday and Thursdays until spring. The Transfer Station went to its winter

schedule two weeks later this year, as a result of landscapers/contractor suggestions that November 1<sup>st</sup> was too early.

**Land Use/Code Enforcement:**

The new FEMA flood maps are now on the town web page. Should you have any questions in regards to the new maps and the new designation of flood zones, please feel free to meet with our staff.

Did you know that Ogunquit has a Septic ordinance?

**8.14 Waste-Water Pollution (Subparagraph C Amended June 8, 2010)**

C. The following provisions regarding the required pump-out of septic tanks shall become effective on 1 July 2010:

1. Any new or existing septic tanks outside of Shore land Zones shall be pumped out not less than once every five (5) years.
2. Any new or existing septic tanks within any Shore land Zone shall be pumped out not less than once every three (3) years.
3. Regardless of subsections 1 and 2 above, in any zone or district, advanced waste water treatment units, as defined in section 1802.4.4 of the Maine Subsurface Waste Water Disposal Rules, shall be pumped out not less than once every ten (10) years.
4. Any person or company that pumps septic tanks in the Town of Ogunquit shall file a report each month with the Code Enforcement Officer. The monthly report shall indicate, for each tank pumped during that month:
  - a. The name of the customer;
  - b. The street address where the tank is located;
  - c. The approximate number of gallons of Septage pumped; and
  - d. The location where the Septage was taken.

Repairs to Frazier Pasture Road have been complete.

The steel seawall located at the Norseman has been repaired.

*La Playa de Ogunquit* (The Beach in Ogunquit) Mexican restaurant has been approved to open at the former Beach House Grille location.

The Planning Board will be asked to “workshop” some lingering concerns (mopeds, outside sales, advertising on Vehicles, Taxis, Golf Carts and Bicycle Taxis) in preparation for the June Town Meeting.

**Fire Department:**

I would like to publically thank Fire Chief Mark O'Brien for working Thanksgiving Day. This allowed our firefighters (most who, more often than not, have been away from their families on holidays) to enjoy the holiday.

**Visitor Services:**

Please welcome Ray Hamlin to the Visitor Services staff. Ray is a resident, CPA and will be charged with the responsibility of advancing our Visitor Services Program. The vision is to cultivate our Visitor Services program to a level of professionalism and productivity that it deserves. As you all know, the Visitor Services program produces millions of dollars of revenue for our community. This revenue assists with the financing of capital purchases, upgrades to our infrastructure and of course, alleviates the potential tax burden to property owners.

**Public Works:**

The Ogunquit Sewer Department has made many upgrades recently and now reports a flow of less than 200,000 gallons per day. This decrease of usage/treatment/flow documented by the Ogunquit Sewer Department in our community reflects their efforts.

The Ogunquit Sewer District works closely with the Town to coordinate projects and has taken advantage of cost saving partnerships. Phil Pickering, Sewer District Manager has been a pleasure to work with. Thank You Phil, for your "Can Do" attitude!

**The New DPW Building update:**

Over the last month we have made great progress with the installation of the foundation, interior and exterior concrete slabs, and under slab plumbing and electrical work. A base coat of paving has been installed. It has been a race against the weather. The steel building arrived on 11/ 14/13 and erection of the building is well underway. The insulation system and roof fall protection is due to arrive this week. Typically it takes 8 to 10 weeks erecting this size building, but with the holidays and the fact that one to two days a week are lost secondary to weather. The goal is to have the roof on before the week of Christmas and the sidewalls soon thereafter. We are very pleased with the progress, and as such, have saved the town many dollars in winter protection cost. We are still within the budget afforded for this project...\$790,000. Thank You to Littlefield Brothers, Inc., Foglio Construction and Stillman Bradish.

**Harbor Master:**

Harbor Master Fred Mayo has applied for a grant through the State of Maine Small Harbor Program. Fred seeks to use grant monies to replace aging floats and to create additional dock space in Perkins Cove. Great work Fred!

Fred also reports that the Perkins Cove Bridge will soon receive much needed attention. The mechanical parts are aging and need attention as well as the need to scrape and paint the bridge. We have made some significant upgrades to the bridge in the past several years. It is a big part of Ogunquit's heritage and we have assured that it will continue to be.

**Legal Concerns:**

The Town seeks to maintain the public's right-of-way in Perkins Cove and is currently in a legal discussion with property owners that have blocked the public access to the right-of-way.

Also, the staff is taking a closer look at the Perkins Cove fuel tanks. The owners of these two tanks, located adjacent to the public restrooms, may be a considerable liability to the Town and Perkins Cove.

**New Sources of Revenue:**

The DEP has approved a \$100,000 grant for the 2014-2015 Ogunquit River Watershed restoration project! Thank you to FB Environmental and our very own Conservation Commission for their many hours of effort and research in preparation of this winning DEP proposal. But...now starts the hard work of generating the clean water programs for Ogunquit Beach, reclamation of the Leavitt stream, drainage mapping and source identification, establishing storm water containment areas and formation of the Ogunquit River Watershed Committee.

**Projects**

Dunaway Community Center roof replacement  
Dunaway Community Center electrical power upgrade/conversion project  
Main Beach roof replacement  
Main Beach fencing project; over 700 posts for the fencing project along the dunes has been installed.  
On-line Warrants/citizen transparency project  
Perkins Cove Restroom renovations  
Public Works Building - Captain Thomas Road

**Dates to Remember:**

December 4th Budget Review Committee Workshop

December 8<sup>th</sup> Ogunquit Spirit of Giving 4:00-6:00pm (Maine Street)  
December 9<sup>th</sup> Wreaths across America Convoy passes by Route 1 Ogunquit at 11:00am  
December 9<sup>th</sup> Planning Board Meeting 6:00pm  
December 12<sup>th</sup> Holiday Party 12:00-2:00pm (Dunaway Community Center)  
December 13<sup>th</sup> Tree Lighting ~ Veterans Park 8:15pm  
December 14<sup>th</sup> Christmas Parade 3:00-6:00pm (From Main Beach to Perkins Cove)  
December 17<sup>th</sup> Select Board Meeting ~ Beach Erosion Committee  
December 24<sup>th</sup> Town Offices close at noon.  
December 25<sup>th</sup> Holiday Town Offices Closed

**6.0 PUBLIC INPUT**

There was no public input

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

**7.1 Reappointment – Shellfish Conservation Commission**

**120313-01** Motion made by Chris Jaroachim and second by David Barton to reappoint Martin Damren to the Shellfish Conservation Commission for a term ending June 30, 2016; approved 5-0.

**8.0 PUBLIC HEARINGS, PRESENTATION**

Motion made by David Barton and second by David Barton to open the public hearing at 6:38pm; approved 5-0.

**8.1 Bintliff's – Malt, Spirituous & Vinous License Renewal**

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions of comments from the public in attendance. A representative from Bintliff's was in attendance.

**120313-02** Motion made by David Barton and second by Chris Jaroachim to approve the Malt, Spirituous & Vinous License Renewal for Bintliff's Ogunquit; approved 5-0.

**8.2 Five-O Shore Road – Malt, Spirituous & Vinous License Renewal**

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions of comments from the public in attendance. A representative from Five-O Shore Road was in attendance.

**120313-03** Motion made by Chris Jaroachim and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Five-O Shore Road; approved 5-0.

- 8.3 Five-O Shore Road – Amusement License Renewal  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions of comments from the public in attendance.

**120313-03** Motion made by Chris Jarochoym and second by David Barton to approve the Amusement License Renewal for Five-O Shore Road; approved 5-0.

- 8.4 Westmeadow Pub – Malt, Spirituous & Vinous License Renewal  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions of comments from the public in attendance. A representative from Westmeadow Pub was in attendance.

**120313-04** Motion made by Chris Jarochoym and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Westmeadow Pub; approved 5-0.

- 8.5 Westmeadow Pub – Amusement License Renewal  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions of comments from the public in attendance.

**120313-04** Motion made by Chris Jarochoym and second by David Barton to approve the Amusement License Renewal for Westmeadow Pub; approved 5-0.

- 8.6 Update from the Wells-Ogunquit School District – Ellen Schneider, Superintendent  
Pursuant to Chapter 6 of the Town of Ogunquit Charter, Section 603 – Reporting

Wells-Ogunquit School Superintendent Ellen Schneider was in attendance to present the annual report to the Select Board. Also in attendance were Dianna Allen and Sarah Tavares, Ogunquit representatives to the Wells-Ogunquit School Committee.

Ms. Schneider updated the Select Board with the enrollment status, profile of academic testing, a profile of the High School, scholastic aptitudes test information, list of co-curricular activities and list of colleges attended by recent graduates.

Ms. Schneider discussed the skills that students now need in the workplace. Spoke about the dual enrollment program with YCCC and about the Technology Educations Programs.

- 8.7 General Assistance Ordinance – Appendix B, Food Maximums – Thomas A. Fortier, Town Manager  
Public comment or questions regarding adoption of the New USDA Food Maximums

Town Manager Fortier explained the Food Maximums in Appendix B; these maximums are regulated by the State of Maine.

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

- 8.8 General Assistance Ordinance – Title II – Thomas A. Fortier, Town Manager  
Public comment or questions regarding adoption of the New 2013 General Assistance Ordinance

Town Manager Fortier explained the requirement to update the General Assistance Ordinance; this ordinance is regulated by the State of Maine

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

Motion made by David Barton and second by Chris Jarochoym to close the public hearing at 7:02pm.

**9.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

- 9.1 Beach Erosion Committee Update – Selectman Robert Winn

Selectman Winn updated the other Select Board Members about the meeting that was held with committee applicants.

**10.0 ADMINISTRATIVE ITEMS – NEW BUSINESS**

- 10.1 Grant Fund Allocations – Fred Mayo, Harbormaster  
Select Board review and action on 50% Match for Small Harbor Improvement Grant

**120313-05** Motion made by David Barton and second by Robert Winn to support the 50% (Fifty Percent) Town match for this grant fund allocation to be stated in the correspondence to the State of Maine for the commitment of \$40,000 (in funds with \$10,000 in-kind); approved 5-0.

- 10.2 General Assistance Ordinance – Appendix B, Food Maximums  
Select Board review and action on the Adoption of the New Appendix B, Food Maximums

**120313-06** Motion made by Chris Jarochoym and second by Robert Winn to accept the General Assistance Ordinance, Appendix B, Food Maximums for this year; approved 5-0.

- 10.3 General Assistance Ordinance – Title II  
Select Board review and action on the Adoption of the New 2013 General Assistance Ordinance

**120313-07** Motion made by David Barton and second by Robert Winn that the Town of Ogunquit adopt the 2013 MWDA Ordinance for General Assistance, Title II; approved 5-0.

- 10.4 Accident Reporting Policy – *Thomas A. Fortier, Town Manager*  
Select Board review and action on a New Policy for the “Reporting of Accidents Involving Town Vehicles or Personal Vehicles Used for Town Business or Other Potential Claims”

After review, this item was tabled until the next meeting of the Select Board.

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

11.1 Public

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

11.2 Select Board

**Selectman Winn** – asked anyone still interested in the Beach Erosion Committee to submit an application. Also had comments on the presentation by Superintendent

**Selectman Barton** – stated that he did the numbers presented by Superintendent Schneider, less than 5% are from Ogunquit. Thanked the Superintendent for the presentation.

**Chairwoman Dailey** – added on to the Town Manager’s comments regarding the Leavitt Theater and the success of the “Kickstarter Campaign”. Ms. Dailey recognized Stillman Bradish for his ongoing support and leadership with the Public Works Department Building. Also recognized her colleagues on the Union Negotiation Team for the work they are doing on this process.

**12.0 ADJOURNMENT**

Motion made by Chris Jaroachim and second by David Barton to adjourn the meeting at 7:59pm.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager