



**SELECT BOARD  
MEETING MINUTES  
AUGUST 4, 2015**

**1.0 EXECUTIVE SESSION 5:00-6:00PM**

**1.1 Personnel [Pursuant to Title 1, Chapter 13, Subchapter 1S405.6.A]**

Motion made by Robert Winn and second by David Barton to go into Executive Session at 5:15PM to discuss Personnel, pursuant to Title 1, Chapter 13, Subchapter 1S405.6.A; approved 5-0.

Motion made by Robert Winn and second by David Barton to come out of Executive Session at 6:05PM; approved 5-0.

No action was taken during Executive Session.

**2.0 COMMITTEE INTERVIEWS 6:00-6:30PM**

**2.1 Charter Review Commission Applicants**

The following applicants were interviewed for the Charter Review Commission:

- Christine Murphy
- Paul Breen
- Stacy Crowell
- Michele Tourangeau

**3.0 CALL TO ORDER: 6:30-8:00PM**

Meeting called to order at 6:30pm.

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

Others present: Thomas A. Fortier, Town Manager  
Scott Heyland, Code Enforcement Officer

John Quartararo, Treasurer

3.1 Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

3.2 July 7, 2015 Meeting Minutes

The minutes of the July 7, 2015 Select Board meeting were accepted as presented.

3.3 July 21, 2015 Meeting Minutes

The minutes of the July 21, 2015 Select Board meeting were accepted as presented.

**4.0 TOWN MANAGER'S REPORT**

Today met with MDOT Commissioner David Bernhardt and a couple of aides from Chellie Pingree's office in Washington, DC and the State of Maine Engineer for the Route One Project. On Wednesday, August 19, 2015 there will be an open house format from 9:00am to 7:00pm with the MDOT for the upcoming Route One Project which is scheduled to start the beginning of September.

Town Manager Fortier stated that he had requested a map of Route One with the work project dates outlined so that people know when the construction will be near their property. Overall the project has gone very well.

One of the issues the past couple of weeks has been seaweed on the beach. There has been heavy seaweed up and down the coast of Maine, not just in Ogunquit. For some reason this year there has been lot of seaweed, not sure if it is because of storm in the ocean or what. In addition to the seaweed, the high tide has been coming in late morning, bringing in seaweed. The beach was cleaned at 5:00am, but it due to tides the beach gathers seaweed by midday.

The Maine Municipal Bond Bank has informed the town that they have refinanced a couple of the towns bonds which results in lower interest rates, savings of \$127,000.

The town has been focusing on Community Policing; the Select Board has been getting weekly reports on the activity of the Police Department. During the week of July 12-19, there 428 calls for service (82 Priority 1 calls, 8 arrests, 13 incident reports and 6 motor vehicle crashes).

Last night, our Fire Chief worked a double shift (24 hour) to cover shift vacancies. At 11:00pm he responded to a fire in York, at 1:30am in York there was a fatal hit & run.

### Parks & Recreation

- Selectman Winn and his students built a shelter for the Dog Park which should be installed this week.
- Looking to get a gazebo and additional swings for the OVS playground.
- Pickle ball courts at Agamenticus Park are expected to be completed this week. Thank you to Matt Chase of Anchor Fence who donated the fence to go around those courts.
- Sandcastle contest was held on July 25<sup>th</sup>, very successful, received a lot of positive comments.
- Tennis courts are very heavily used at Agamenticus Park, 30 residents and visitors every morning. It is a facility that needs upgrading.

Received a couple grants, one for the Footbridge (Small Harbor Improvement Grant), Fred Mayo and Cheryl Emery worked to obtain. On August 18<sup>th</sup> there will be a mandatory site walk for those interested in bidding on the engineering aspect of the project.

Joan Griswold, the Marginal Way Committee and others are having their 4<sup>th</sup> Annual Pod Picking Day on Saturday, August 15<sup>th</sup> from 9:00am to noon.

Shout out to Laura Rose and her family for all the support through "Christian's Lifeguard Dash" proceeds. This past year they donated an 11 foot rescue board for Ontio Beach, jammers (trunks) for male lifeguards, tank tops for female lifeguards, embroidered rash guards for the entire squad, 10 pairs of fins for training and lifesaving in large swells, large lightweight buoy for water workouts, additional beach hats and renewed lifeguard certifications for those that had expired.

## **5.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

### **5.1 Charter Review Commission Appointments**

At the Annual Town Meeting in June, three members were elected: Cindy Douglass, Lesley Mathews and Barbara Treen. The Select Board now has to appoint three members to the Charter Review Commission.

**080415-01** Motion made by Robert Winn and second by David Barton to appoint Christine L. Murphy as a member of the Charter Review Commission, term to expire upon completion; approved 5-0.

**080415-02** Motion made by John Daley and second by Gary Latulippe to appoint Paul Breen as a member of the Charter Review Commission, term to expire upon completion; approved 5-0.

**080415-03** Motion made by Gary Latulippe and second by Robert Winn to appoint Michele Tourangeau as a member of the Charter Review Commission, term to expire upon completion; approved 4-1, Daley in opposition.

## 6.0 PUBLIC INPUT (Any Topic)

### **Paul Breen, 33 Youngs Crossing South**

- As President of the Marginal Way Preservation Fund, was present to give an update to the Select Board. As of July 1, 2015, the fund has accumulated assets of over \$750,000 (\$650,000 is in a stock account with a financial firm).
- Mr. Breen introduced Jeanne Roche as the new Executive Director of the Marginal Way Preservation Fund.

### **Jeanette Wall, 59 Obeds Lane**

- Ms. Wall was present to discuss the issue of allowing more time for the dogs to be on the beach in Ogunquit and bringing it to the voters for approval.

### **Lesley Mathews, 13 High Ridge Lane**

- Stated that she is in agreement with comments made by Ms. Wall.
- Hearing a lot of praise regarding the showers at Main Beach, but hearing unhappiness that there are not any bubblers at any of the beaches.
- Comments regarding the cleaning of the ladies rooms at Main Beach.

### **Martin Crosby, 48 Village Green Lane**

- Observation, our own trash barrels are un-enclosed, but businesses are required to enclose.
- Comments regarding armed officers at the beach.
- Suggested fenced smoking area.

### **Rebecca Fox, 21 Marginal Avenue**

- Asked that the Select Board revisit the issue of helicopter landings in residential neighborhoods at the next meeting of the board.

## 7.0 PUBLIC HEARING - LICENSE RENEWALS

Public Hearing called to order 7:15pm.

- 7.1 Jackie's Too - Malt, Spirituous & Vinous License Renewal Application  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Jacqueline Bevins was in attendance to represent Jackie's Too.

**080415-04** Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal for Jackie's Too; approved 5-0.

7.2 Puffin Inn - New 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 in attendance.

Michele Tourangeau was in attendance to represent the Puffin Inn.

It was noted that the application was only checked off for Vinous License; Ms. Tourangeau confirmed that the intent was for Malt & Vinous.

Chair Dailey asked if there would be service of food at the establishment. Ms. Tourangeau stated that a full breakfast is served every day and that light refreshments are served from time to time.

Discussion was held regarding area of consumption and details of the business.

**Muriel Freedman, Grasshopper Lane**

- Asked if this would be open to the public, it was explained that it would be only available to guests of the establishment.

**080415-05** Motion made by Robert Winn and second by David Barton to accept the new application for a Malt & Vinous License Application for the Puffin Inn; approved 5-0.

Chair Dailey stated that she would vote in favor of the application with the understanding that this establishment is not open to the public.

**8.0 PUBLIC HEARINGS & PRESENTATIONS**

8.1 Interdepartmental Fund Transfers for Fiscal Year 2014-2015 - John Quartararo, Town Treasurer  
Public Comments and Questions regarding the Interdepartmental Fund Transfers for FY 2014-2015

<u>Transfers-in</u>		<u>Transfers-out</u>	
Visitor Services	\$712.00	General Government	\$11,081.00
Police Department	\$21,265.00	Recreation	\$3,357.00
Fire Department	\$8,233.00	Land Use	\$1,356.00
Lifeguard Services	\$1,947.00	Utilities	\$2,784.00
Administrative Services	\$15,260.00	Public Works	\$9,979.00
Conservation	\$2,022.00	Harbormaster	\$4,875.00
Debt Management	\$5,866.00	Welfare	\$1,643.00
	\$55,305.00	Insurance & Benefits	\$2,241.00
		Information Services	\$835.00
		Clam Warden	\$755.00
		Plover Management	\$19.00
		Civic Organizations	300.00
			\$55,305.00

John Quartararo, Town Treasurer, was in attendance to answer any questions from the public or the Select Board. The majority of the transfers have to do with personnel costs.

There were no questions from the public in attendance.

Motion made by Robert Winn and second by David Barton to close the public hearing at 7:43pm; approved 5-0.

**9.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS**

9.1 Union Contract Ratification - *Barbara Dailey, Select Board Chair*  
 Select Board Action on the Ratification of Union Contracts for the Clerical, Police and Public Works Unions

This agenda item was tabled to a future meeting of the Select Board.

9.2 Request for Liaison to Wells-Ogunquit Senior Center - *Thomas A. Fortier, Town Manager*  
 Select Board Appointment of Liaison to the Wells-Ogunquit Senior Center

Town Manager Fortier explained that the Wells-Ogunquit Senior Center had requested Robert Winn as the Select Board Liaison to the Senior Center.

It was the consensus of the Select Board to assign Robert Winn as the liaison to the Wells-Ogunquit Senior Center. Mr. Winn stated that he would serve as the liaison.

**10.0 ADMINISTRATIVE ITEMS - NEW BUSINESS**

- 10.1 Request for Legal Action on Illegally Operating Businesses - *Thomas A. Fortier, Town Manager*  
 Select Board Action to Authorize Town Manger to Initiate Legal Action on Code Violation and Illegally Operating Businesses

Town Manager Fortier stated that recently a business has not been cooperating with the Code Enforcement Office and operating illegally without proper permitting.

The next step would be to take legal action; this is a generic request before the Select Board to authorize the Town Manager and Code Enforcement Officer to begin legal action on a business that is operating illegally in the Town of Ogunquit.

**080415-06** Motion made by Gary Latulippe and second by David Barton to authorize the Town Manager to initiate legal action on code violations and illegally operating businesses; approved 5-0.

- 10.2 Assessing Services RFP Bid Award- *Scott Heyland, Code Enforcement Officer*  
 Select Board Action on the Award of a Contract for Assessing Services

Three firms bid on the RFP:

	Year One	Year Two	Year Three	Total
Municipal Resources, Inc.	\$12,020	\$12,020	\$17,160	<b>\$41,200</b>
Atlantic Valuation Services	\$27,000	\$28,125	\$29,250	<b>\$84,375</b>
Bartlett Assessing Services	\$51,000	\$51,000	\$51,000	<b>\$153,000</b>

Scott Heyland, Code Enforcement Officer, stated that he met with the firm and is satisfied with Municipal Resources bid.

**080415-07** Motion made by Robert Winn and second by David Barton to approve the bid from Municipal Resources, Inc. for the assessment for the town at \$12,020 per year; approved 5-0.

- 10.3 Interdepartmental Fund Transfers for Fiscal Year 2014-2015 - *John Quartararo, Town Treasurer*  
 Select Board Action on a Request to Transfers Funds between Departments as a Final Adjustment for Fiscal Year-End 2014-2015

<u>Transfers-in</u>		<u>Transfers-out</u>	
Visitor Services	\$712.00	General Government	\$11,081.00
Police Department	\$21,265.00	Recreation	\$3,357.00
Fire Department	\$8,233.00	Land Use	\$1,356.00
Lifeguard Services	\$1,947.00	Utilities	\$2,784.00
Administrative Services	\$15,260.00	Public Works	\$9,979.00
Conservation	\$2,022.00	Harbormaster	\$4,875.00
Debt Management	\$5,866.00	Welfare	\$1,643.00
	<u>\$55,305.00</u>	Insurance & Benefits	\$2,241.00
		Information Services	\$835.00
		Clam Warden	\$755.00
		Plover Management	\$19.00
		Civic Organizations	300.00
			<u>\$55,305.00</u>

**080415-08** Motion made by Robert Winn and second by David Barton to accept the transfers from different departments (one department to another) pursuant to the Ogunquit Town Charter, Article 5, Financial Procedures, Section 504 Revenues & Expenditures of \$55,305.00; approved 5-0.

10.4 Fire Alarm Upgrade/Dunaway Center RFP - Mark O'Brien, Fire Chief  
 Select Board Action on a Request to Purchase a Fire Alarm Upgrade for the Dunaway Community Center

Protection Professionals, who currently monitors the town's fire alarm system, provided a quote of \$17,630.01.

**080415-09** Motion made by Robert Winn and second by David Barton to accept the RFP bid of \$17,630.01 for the alarm system for the Dunaway Center from Protection Professionals; approved 5-0.

10.5 Acceptance of Bid for 1992 Rescue Pumper - Mark O'Brien, Fire Chief  
 Select Board Action on the Acceptance of a Bid for the Sale of the 1992 Rescue Pumper

**080415-10** Motion made by Gary Latulippe and second by Robert Winn to accept the bid for the 1992 Rescue Pumper for \$20,000; approved 5-0.

10.6 Acceptance of Maine Coastal Communities Grant - Thomas A. Fortier, Town Manager

Select Board Action to Accept Grant Monies in the Amount of \$28,599 from the State of Maine, Department of Agriculture, Conservation & Forestry; Maine Coastal Communities Grant Program

This grant is for water quality testing.

**080415-11** Motion made by Gary Latulippe and second by Robert Winn to accept the grant monies in the amount of \$28,599 from the State of Maine, Department of Agriculture, Conservation & Forestry; Maine Coastal Communities Grant Program; approved 5-0.

10.7 Acceptance of 2016 Shore and Harbor Planning Grant - Thomas A. Fortier, Town Manager

Select Board Action to Accept Grant Monies in the Amount of \$20,000 from the State of Maine, Department of Agriculture, Conservation & Forestry; Shore and Harbor Grant Program

This grant is for Engineering Services for the Footbridge.

**080415-12** Motion made by Robert Winn and second by David Barton to accept the \$20,000 grant (State of Maine, Department of Agriculture, Conservation & Forestry; Shore and Harbor Grant Program) for the Footbridge replacement; approved 5-0.

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

11.1 Select Board

**Selectman Latulippe**

- Stated that with the MDOT project, they are very responsive. MDOT has been asked to provide a map of the Route One corridor with the best guess for the proposed time frame.
- Spent quite a bit of time at the beach with the Sand Castle Contest, the contest was very good but it wasn't a beach day (very cold). Had about 18 participants.
- Stated that he has ideas for bathrooms, trash and travel ways at the Main Beach.

**Selectman Daley**

- Comments on the Puffin Inn discussion and the Trellis House license approval.

**Selectman Barton**

- Hopefully the vote to authorize the Town Manager and Code Enforcement Officer to pursue legal action will send a message and provide confidence that the town stands behind the town codes.

**Chair Dailey**

- Stated that she wanted to reinforce how important the Charter and the Charter Review Commission is.
- Hopefully the Comprehensive Plan will be on the Select Board agenda in the near future.
- Shout out to all volunteers in the town who work on committees and boards.
- Comments on the approval of the authorization of Town Manager and Code Officer to take legal action and its importance.

**12.0 ADJOURNMENT**

Motion made and seconded to adjourn the meeting at 9:30pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager