



**SELECT BOARD  
MEETING MINUTES  
AUGUST 19, 2014**

**1.0 CALL TO ORDER – 6:00PM**

Meeting called to order at 6:03pm.

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

Others present: Thomas A. Fortier, Town Manager

**2.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Selectman Daley.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

3.1 July 15, 2014 - the minutes of the July 15, 2014 Select Board meeting were accepted as presented.

3.2 August 5, 2014 - the minutes of the August 5, 2014 Select Board meeting were accepted as presented.

**4.0 TOWN MANAGER'S REPORT**

**August 2014**(From the Town of Ogunquit website)

A meeting on July 29<sup>th</sup> with the MDOT was very well attended. In general, everyone was pleased with the design and responsiveness from MDOT and Town staff. The project design can be seen at the Dunaway Center, anytime. Please feel free to stop by and look at the project and also the specifics of the project, such as benches, trees and sidewalk brick, etc.

The business community did express concerns, specifically about the impact the project will have on the businesses. MDOT has agreed that there will be no construction on Route 1 in

June, July and August 2015. The Chamber of Commerce is asking for no construction from May 15<sup>th</sup> thru October 15<sup>th</sup>.

**Wells/Ogunquit Center at Moody 10<sup>th</sup> Anniversary:** Congratulations to the Senior Center which celebrated 10 years on July 18<sup>th</sup>. Active members and thousands of volunteer hours culminate into years of shared life experiences and a desire to stay active in the community! We are all proud of you!

**Parks and Recreation**

Did you know that every morning at 8:00am, WOGT broadcasts a Tai Chi exercise program? Get active in your own living room!

A group of tennis players meet every morning at Agamenticus tennis courts. Everyone is welcome so come and join the fun!

The basketball courts at Agamenticus Park will be resurfaced and transformed into Pickle Ball courts. Pickle Ball is similar to tennis but is played with paddles and a plastic ball. It has become very popular with the senior citizens in our part of the country.

**Visitor Services**

We have enjoyed a busy summer and the Main Beach parking lot is often full by 10:00am. We have continued to match the high number of visitor’s with corresponding staff and resources. We have implemented a “Beach Monitor” position which has proven invaluable. The position is responsible for monitoring beach conditions that will ensure the enjoyment of all. The position monitors water quality, cigarette and alcohol use, picks up trash, monitors the dunes, interacts with visitors, administers first aid and much more. We have gained so much insight on providing day to day services with the Beach Monitor position.

New signage has been erected at the Public Works Department building and another at North Beach parking lot. Check it out!

**Finance/Budget**

The Fiscal Year ended on June 30<sup>th</sup>. The Undesignated Fund (Savings Account) balance will be \$3.041M. (The highest in recent history)

2008	\$1.9M	2012	\$2.2M
2009	\$1.8M	2013	\$2.6 M
2010	\$2.5M	2014	\$3.0 M
2011	\$2.2M		

There was a \$393,589 increase over last year’s budget. The W-OCSD School Budget is responsible for \$307,921 of that increase, while the Town budget increase was \$84,832. The current mil rate is \$7.50 and the projected new mil rate would be \$7.77 (a 27¢ increase subject to Select Board action in September).

TOWN OF OGUNQUIT  
 FY 2014 - CALCULATION OF CHANGE TO UNDESIGNATED FUND BALANCE  
 JULY 25, 2014

	Budget	YTD Actual	Encumbered	Change
Revenues	\$ (2,403,125.22)	\$ (3,361,427.78)	\$ -	\$ 958,302.56
Property Taxes	(9,845,896.78)	(9,826,672.22)		(19,224.56)
Subtotal Revenue Budget Per MUNIS	\$ (12,249,022.00)	\$ (13,188,100.00)	\$ -	\$ 939,078.00
Maine Municipal Bond Bank	(443,000.00)			(443,000.00)
Undesignated Fund Balance	(201,000.00)			(201,000.00)
Municipal Revenue Sharing	(16,931.36)			(16,931.36)
Homestead Reimbursement	(12,112.00)			(12,112.00)
Subtotal Revenues	\$ (12,922,065.36)	\$ (13,188,100.00)	\$ -	\$ 266,034.64
Expenses	12,923,482.00	12,565,611.00	107,845.00	250,026.00
Subtotal Change Fund Balance	\$ 1,416.64	\$ (622,489.00)	\$ 107,845.00	\$ 516,060.64
Less: Transfer to Ambulance Reserve - fees excess of budget				(20,699.30)
Less: Transfer to Ambulance Reserve - Fire/Rescue Interest				(66.10)
Less: Transfer to Ambulance Reserve - Interest				(133.36)
Less: Transfer to FD Equipment Reserve - Interest				(0.45)
Less: Transfer to Ambulance Reserve - Ambulance Checking				(3.30)
Less: Transfer to CIP Designated Fund Balance				(76,626.00)
Plus: Transfer from Due to Accrued Expenses				25,000.00
Estimated Lapse to Undesignated Fund Balance			\$	443,532.13
Undesignated Fund Balance at June 30, 2013				2,597,684.79
Estimated Undesignated Fund Balance at June 30, 2014			\$	3,041,216.92

**Selected Sources of Excess Revenues**

Tax Penalties & Interest	17,214.00
State Revenue Sharing	17,154.00
Homestead Exemptions	12,025.00
Business Registration Fees	7,285.00
Copy Fees	7,625.00
MEMA/FEMA Reimburse	67,283.00
Planning Board Fees	4,500.00
Ambulance Fees	21,118.00
Mooring Fees	6,051.00
Insurance Reimburse	96,386.00
Parking Lots	269,784.00
<b>Total</b>	<b>526,425.00</b>

**Department Sources of Unexpended Funds**

General Gov't	34,592.00
Land Use	16,110.00
Fire Department	42,678.00
Life Guard Svcs	17,165.00
Transfer Station	37,827.00
Harbor Master	9,756.00
Admin Services	9,064.00
Info Services	6,741.00
CIP	76,626.00
<b>Total</b>	<b>250,559.00</b>

**2013 Annual Town Meeting**

Article	Purpose	Amount
46	Admin Svcs - Truck	30,000.00
47	Dunaway Center	30,000.00
49	Main Beach Comfort Station Roof	26,000.00
50	Beach Fencing	20,000.00
51	Replenish Natural Disaster	20,000.00
52	Replenish Natural Disaster	12,000.00
53	Replenish Natural Disaster	38,000.00
54	Land Conservation Reserve Fund	25,000.00
		<b>201,000.00</b>

**Land Use/Code Enforcement**

An engineering design for Veterans Park will be presented at the 8/19 Select Board meeting. The new design is meant to complement the Route 1 project. We hope to start the project in the fall. The funds for the project will come out of the original Route 1 funding.

An engineering design for Beach Street is also underway and would be the next step toward infrastructure improvements and capital investments. We envision a “Gate Way” to the Main Beach with utility lines underground and sidewalks that lead you to our most valuable asset.

Thank you to staff Maryann Stacy who has assumed additional role as a Healthy Beaches Coordinator. Maryann assists the Beach Monitor with the data obtained from water samples at all our beaches and rivers. This past week, we performed DNA testing of our rivers and watershed. This activity is part of the watershed grant we received. This testing will help us identify what the source of contamination is and will allow us to find plausible solutions. Thank you to staff member Cliff Marchant and the Conservation Committee for their invaluable time and efforts on protecting our water quality.

Comprehensive Plan: The last Comprehensive Plan was completed in 2003. We are looking for members of our community to serve on a committee that will create a vision for our town over the next ten to twenty years. Please contact the Town Manager if you are interested in participating in planning for Ogunquit’s future.

Marginal Way-Devil’s Kitchen Erosion Update: An engineering analysis has been completed and bids have been received. We have received some welcomed flexibility on timelines, and the project will most likely be pushed to October-November. The town staff has been working closely with the Maine Department of Environmental Protection services on obtaining permits for the project. A personal thank you to resident Paul Breen (Marginal Way Preservation Fund) for his dedication, time and efforts put forth for this project. A hearty thank you to Helen Horn (Marginal Way Beautification Fund) and Selectman Dave Barton too!

**ARTS Ogunquit**

The Select Board will hear a new and exciting initiative. An “Arts Ogunquit” at the Land Use Building will serve to strengthen Ogunquit’s nonprofit arts, historical and cultural community by facilitating collaboration, coordination and visibility.

The “Arts Ogunquit” concept is meant to showcase our cultural community. Arts Ogunquit is a new organization created by five major non-profits. Each summer Barn Gallery, Ogunquit Heritage Museum, Ogunquit Museum of American Art, Ogunquit Performing Arts and The Ogunquit Playhouse offer a wide variety of art and historical exhibitions, educational programs on the arts, concerts, movies and live theater. Every year these ever-changing offerings make Ogunquit an exciting summer destination for the arts.

- The Barn Gallery has held lively exhibitions, gallery talks and workshops by members of the Ogunquit Art Association for over fifty years.
- The Ogunquit Heritage Museum celebrates the art, fishing, maritime and architectural history of Ogunquit with its exhibitions, educational programs and demonstrations.
- The Ogunquit Museum of American Art, overlooking the Atlantic Ocean, features exhibitions of American art in its galleries and outdoor sculpture garden along with weekly lectures, programs and docent tours.
- Ogunquit Performing Arts brings world-class musicians to the community during the entire year. Its major summer events are the Chamber Music Festival and Capriccio, a two week Festival of the Arts.
- The Ogunquit Playhouse, “America’s Foremost Summer Theatre,” presents the best of Broadway each season with five exciting musical productions from May to October.

A strong arts and cultural community in turn, brings additional visitors and revenue to the town because visitors don’t just spend dollars at the venues. They also typically visit restaurants, shops, and other sights.

Many of the nonprofit organizations are open past the summer season, attracting visitors from spring through fall. Support from the town is not only vital for the long term success of these organizations, but also beneficial to the town.

### **Police Department**

Selectman John Daley, Chief Arnaudin and Lieutenant Buttrick have been working collaboratively with Deputy-Elect William L. King Jr. The meeting was productive and we should expect to see some changes from the York County Sheriff’s Office next year. The Sheriff’s Office has had officers complement our Police Department during the last several 4<sup>th</sup> of July fireworks events. They can assist with other special events like this as well. They can and will assist with services like Special Reaction Team or SWAT, Evidence Response Team, criminal investigation services and domestic violence investigations. The Chief and Lieutenant agreed with this and have taken advantage in the past. Lt. Buttrick also expressed the need for annual training in these areas. Deputy-Elect King does believe strongly in offering and pooling resources to offer regionalized services.

Another example of collaboration is for the Ogunquit Police Department to use the Sheriff’s Office for transferring people to the York County jail. Currently, whenever one of our officer’s is involved in an OUI arrest, it takes that officer off the streets for several hours.

The Deputy-Elect does feel the towns that don't have a Police Department should pay more for contracted services and will push for that.

Did you catch this Portland Press herald article about our very own Ogunquit Police Department? <http://www.pressherald.com/2014/07/17/auburn-ogunquit-use-project-lifesaver-to-track-those-who-wander/>

The Ogunquit Police Department was awarded a \$5,000 grant from Project Lifesaver International. Project Lifesaver is a national proactive electronic tracking program used to assist in locating people with Alzheimer's disease and related disorders or children with Down's Syndrome or Autism Spectrum Disorder that wander from home and become lost. Chief Arnaudin, Lt. Buttrick, Sgt. Fahy and Officer Cummings are all trained in the use and are also instructors on the unit. There are only two departments in Maine that have the units, Ogunquit and Auburn. We are the only agency in York County that has the unit and we have one resident who wears a bracelet.

**C.H.I.P.'s comes to Ogunquit!** We began the process to consider leasing a motorcycle after consulting with area Police Department's that currently have them in their fleet. Most notably were Kittery, York and Wells. All of them are strong advocates of having a motorcycle in the fleet for the busy summer season. The biggest benefit that they all spoke of was the integration that having an Officer on the bike fostered. People regularly walk up to the Officer and ask about it and want pictures taken, people who would never approach an Officer otherwise. And in just the few days that we have been running the bike we can report the same is in fact true.

The other obvious reason is that with the congestion in beach communities like ours the motorcycle can get more places more effectively.

Not all of our officers are certified to drive the Police Motorcycle; it is a rigorous course that ensures proper and safe operation under the often-extreme circumstances that Officers face. We currently have one Officer certified and we have three other Officers who currently hold motorcycle endorsements and who have expressed interest in the certification course. The reason that we have not already sent them is that it is a lengthy class and also very rigorous. We are using this year's six-month lease as a trial run. We had an Officer, already assigned to days, who was already certified so it seemed to make sense to use him to run the bike four days a week (Sat-Tues) to see how it suited our needs. We didn't want to expend additional resources on certifying officers if it didn't work out after this season. The lease itself is a seasonal 6-month lease, meaning that we will only have and pay for the bike when we are able to use it. The cost of the lease is \$325.00 dollars a month (\$1,950.00 for the term). The motorcycle came fully equipped at no extra cost.

### **Fire Department**

Chief O'Brien reports that it has been a busy summer for the EMS crew. The number of medical calls for service has increased significantly.

The Lifeguards have also experienced a number of "save situations". Supervisor J.P. Argenti has them all trained and ready to respond.

### **Public Works**

The staff is working closely with the LIHP State program for rehabilitation/redesign of the Bourne Lane/Shore Road intersection. Our hope is to improve the flow of traffic and the safety concerns that have been of a concern for a long, long time. Simply put, that area is ...*dangerous*.

The Wharf Lane Bridge has added railings to secure the pedestrian safety.

Perkins Cove Public restroom has been designed, the contract awarded, and scheduled for construction this fall.

**Transfer Station**

The Town has terminated its contract with ECOMaine, effective June 30<sup>th</sup> 2014. We are always looking for ways to be efficient and to reduce our costs. We feel that it was advantageous to end our contractual agreement with ECOMaine. Ogunquit residents recycle at a rate above 50%, and we feel we can solicit the spot market for our trash and recycling needs and not be mandated by a contract.

**Harbor Master**

The Army Corp of Engineers was in Perkins Cove on 7/23 to survey for next year’s scheduled dredging.

Harbormaster Mayo is in the midst of managing a Ship Grant project that was awarded to Ogunquit for description and bid award \$100,000. Engineering costs are around \$10,000 and \$80,640 for construction.

\$70,640	New Float
\$ 6,000	New Gangway
<u>\$ 4,000</u>	<u>New Pilings</u>
<u>\$80,640</u>	<u>Total Construction</u>

**Upcoming policy items to consider**

- Vacation Rentals: Business Registration, Code + Safety, Lodging Tax, Liquor Licensing and Impact Fees
- Use of Former Land Use office/Winn House/Dorothea Jacobs Grant Common Park
- Use for Old Public Works Department garage on Captain Thomas Road
- Ogunquit Village School- policy on future use of property

**5.0 PUBLIC INPUT (AGENDA ITEMS)**

**Cindy Douglass, Piping Plover Coordinator**

- Report on the 2014 Piping Plover Season.

**Helen Horn, Marginal Way Committee Chair**

- Comments regarding the Devil’s Kitchen Repair Project.

**Dean Rinaldi, 33 Constance Lane**

- Comments regarding the Beach Erosion Committee, conditions of the beach and alternate funding methods.

**Steve Einstein, South Berwick (former Ogunquit Board of Overseers) -**

- Comments regarding the beach erosion issue.

**6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

There were no appointments, resignations, proclamations or resolutions before the Select Board.

**7.0 PUBLIC HEARINGS, PRESENTATION**

Motion made by Robert Winn and second by David Barton to open the Public Hearing at 6:48pm; approved 5-0.

- 7.1 Post Road Tavern – Malt, Spirituous & Vinous License Renewal Application  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments from the public.

Jim Orser was in attendance to represent the Post Road Tavern.

**081914-01** Motion made by Robert Winn and second by Gary Latulippe to approve the Malt, Spirituous & Vinous License Renewal Application for the Post Road Tavern; approved 5-0.

- 7.2 Post Road Tavern – Amusement License Renewal Application  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments from the public.

**081914-01** Motion made by Robert Winn and second by Gary Latulippe to approve the Amusement License Renewal Application for the Post Road Tavern; approved 5-0.

- 7.3 FY 13-14 Budget Transfers – John Quartararo, Treasurer  
Public Hearing on Budget Transfers for FY 13-14 pursuant to the Ogunquit Charter, Section 504, Revenues and Expenditures

Treasurer, John Quartararo, was in attendance to explain the budget transfers. He is requesting the total of \$29,480 be transferred.

- 7.4 Amendments to Title V of the Ogunquit Municipal Code, Motor Vehicle Traffic & Parking Ordinance – Patricia Arnaudin, Police Chief  
Select Board Action to authorize enforcement of Beach Impact Fees

Treasurer, John Quartararo, was in attendance to explain the changes. He has been working with Visitor Services to modify the ordinance to capture businesses that are trying to avoid paying the season pass fee.

- 7.5 Transfer of Funds from the “Natural Disaster Emergency Repair Fund” for Devil’s Kitchen Erosion Project – Thomas Fortier, Town Manager  
Select Board Action to authorize transfer of \$50,000 from Natural Disaster Fund for Marginal Way Restoration Project.

There were no public comments regarding this agenda item.

Motion made by Robert Winn and second by Gary Latulippe to close the public hearing at 7:06pm; approved 5-0.

**8.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

- 8.1 Amendment to Title IX of the Ogunquit Municipal Code, Business Ordinance, Chapter 3 - Amusement Ordinance – November Special Town Meeting – Scott Heyland, Code Enforcement Officer

Select Board Action on the proposed Amendment to be included on the November 4, 2014 Special Town Meeting Warrant – To extend the filing requirement from One (1) day to 15 days.

**081914-02** Motion made by Gary Latulippe and second by John Daley to approve the Amendment to Title IX of the Ogunquit Municipal Code, Business Ordinance, Chapter 3 - Amusement Ordinance, to extend the filing requirement from One (1) day to 15 days to be included on the November 4, 2014 Special Town Meeting Warrant; approved 5-0.

- 8.2 Amendments to Title IX of the Ogunquit Municipal Code, Business Ordinance, Chapter 9 - Business Registration– November Special Town Meeting – Scott Heyland, Code Enforcement Officer

Select Board Action on the proposed Amendments to be included on the November 4, 2014 Special Town Meeting Warrant – Business Registration requirements & inspections.

**081914-03** Motion made by Robert Winn and second by Gary Latulippe to approve the Amendments to Title IX of the Ogunquit Municipal Code, Business Ordinance, Chapter 9 - Business Registration Business Registration Requirements & Inspections to be included on the November 4, 2014 Special Town Meeting Warrant; approved 5-0.

- 8.3 New Ordinance - Title XVI of the Ogunquit Municipal Code, Streets, Sidewalks and Other Public Places– November Special Town Meeting– Cliff Marchant, Administrative Services

Select Board Action on the proposed new Title XVI to be included on the November 4, 2014 Special Town Meeting Warrant – Road Opening requirements

**081914-04** Motion made by Robert Winn and second by Gary Latulippe to approve the New Ordinance, Title XVI of the Ogunquit Municipal Code, Streets, Sidewalks and Other Public Places to be included on the November 4, 2014 Special Town Meeting Warrant, approved 5-0.

8.4 FY 13-14 Budget Transfers – *Chairwoman Barbara Dailey*  
Select Board Action on FY 13-14 Budget Transfers – Pursuant to Ogunquit Charter, Section 504, and Revenues & Expenditures

Pursuant to Section 504 of the Town Charter, Treasurer Quartararo requested that the Select Board act to approve the budgetary transfers-in of \$29,480.00 to the departments as follows:

Visitor Services	\$ 7,862.00
Police Department	7,683.00
Conservation	808.00
Debt Management	7,372.00
CIP	<u>5,755.00</u>
<b>Total Transfers-In</b>	<b><u>\$29,480.00</u></b>

The transfers-out would be made out of the departments as follows:

General Government	\$ 6,710.00
Recreation	56.00
Land Use	3,384.00
Lifeguard Service	1,277.00
Utilities	374.00
Transfer Station	10,168.00
Harbormaster	2,370.00
Welfare	157.00
Insurance & Benefits	403.00
Administrative Services	1,476.00
Information Services	1,814.00
Clam Warden	1,188.00
Plover Management	<u>101.00</u>
<b>Total Transfer- Out</b>	<b><u>\$29,480.00</u></b>

**081914-05** Motion made by Robert Winn and second by John Daley to accept the request for the budgetary transfers in the amount of \$29,480; approved 5-0.

8.5 Beach Erosion Committee – Interim Report – *Paul Breen, Beach Erosion Committee Chair*  
Updated Report from the Beach Erosion Committee

Paul Breen was in attendance to present the updated report on the Beach Erosion issue

**INTERIM REPORT**

The Beach Erosion Committee conducted a beach walk on the Main Beach on the evening of August 7, 2014. This walk was accomplished from 6:00 PM to 7:45 PM one hour before high tide.

The route taken was to circumnavigate the perimeter of the Beach Parking Lot at the parking lot level, then proceeded to the beach, and then walked the beach up to Mile Marker 0.3 Miles (Just beyond the first planked walk section over the Dunes.)

The findings of the beach walk are:

- 1) *The perimeter of the Beach Parking lot will benefit from the Oceanside plantings of Rosa Rugosa or similar plants within the strip of land between the parking lot and the ocean. Plantings should be accomplished from the pavilion to the tip of the parking lot at the mouth of the Ogunquit River.*  
 These plantings will stabilize the earth at the top of the parking lot’s embankment.

A plan will be submitted to the Town Manager illustrating the location of each planting and the cost of the proposed project. A soaker watering system should be incorporated to allow the plant roots to settle and grow. As these plants grow, PWD personnel should prune them as required.

- 2) *The Sand level of the beach has severely been eroded from the north edge of the Norseman to the tip of the point at the mouth of the river.*

*Elevation measurements of the sand have been made at a four points along the beach, at the Norseman Ramp ,at pedestrian Ramp A, (a few hundred yards south of the Norseman Ramp) ,at Pedestrian Ramp B (south of Ramp A at the south end of the main Beach) and at Pedestrian Ramp C ( at the Riverside Beach).*

*A positive measurement indicates that dry sand is available during the measured high tide conditions.*

*A negative measurement indicates that no dry sand is available under the measured high tide conditions.*

*Recognize the high tide may run as high as 13’ during a given month, which would exacerbate these findings.*

*The Results of the detailed measurements are contained in Attachments A & B but are summarized in the following Table:*

- Norseman Ramp –positive 2’ of sand available at high tide
- Ramp A –negative 1’ of sand available at high tide
- Ramp B –negative 1 ‘of sand available at high tide
- Ramp C positive -1.8 ‘of dry Sand available at high tide

These measurements were conducted on Sunday August 10 at high tide of 9.7’.

Review of the sand height at these four points indicates that there is no dry sand in the areas of Ramps A & B and to correct for this will require that these areas must be rebuilt to sand levels of positive 2’ or higher in a nominal high tide.

The proposed engineering analysis will define the state of the Beach in these areas and will address the scope and costs of a potential Beach Enrichment Program.

This erosion occurred in the summer when the state geologists indicated that the summer is the best time for the accumulation of sand. Clearly this bodes ill for further erosion during the winter. This area will be the primary focus of the proposed engineering studies of erosion, which will commence when the voters approve these studies.

- 3) *The Committee noted that many large stones had been placed on the Oceanside at the base of the Embankment of the Parking lot. Many of these stones have fallen to the ocean. These actions were accomplished over many years. The Committee noted that severe erosion appeared to follow the conduct of these actions and wonder if the attempt to build up the embankment in creating a riprap has exacerbated the erosion at the Beach.*

This concern will be addressed as part of the proposed engineering studies.

The Committee recommends that these actions be discontinued until the engineering studies have been completed.

- 4) *The Committee has prepared a warrant article requesting the approval of \$50,000 for engineering studies of erosion at the main Beach. This warrant is recommended to be placed before the town meeting in November.*

The Committee is in the process of preparing an Educational Program, which will inform the voters of the attendant benefits and costs of the proposed engineering study and the corrective actions, which will emanate from the conduct of these studies.

The Committee recommends that this Warrant article be placed before the voters at the November town meeting.

- 5) *The Committee noted the poor condition of the Beach at the dune line between the north ends of the Norseman and the 0.3 mile marker.*

The Beach is periodically raked by a contractor and the resulting piles of seaweed and refuse are placed in piles at the base of the Dunes. The result is that plant life on the dunes has been damaged.

The Committee recommends that the Contractor separate the refuse from the sand and place the rescreened sand at the Oceanside base of the dunes so that it does not kill plant life.

- 6) *The Committee noted that the members of the public frequently trespass the dunes, camp, play and perform their toilet activities there.*

These activities damage the dunes and will acerbate the yearly westward movement of the dune line from 1 to 3 feet per year to higher annual values of erosion. The Committee notes that existing signage instructs the public not to enter the dunes with the penalty of a \$50 fine.

The Committee recommends that the Town establish a fulltime Police presence on the main Beach to prevent trespass in the dunes which causes erosion at the beach during the season. The police officer should be equipped with an ATV so that the perpetrators can be apprehended before they flee.

The Committee recommends that a fence be attached to the existing posts for the purpose of limiting public access to the dunes. The secondary benefit of the fence is that sand will be accumulated at the dune line.

The fence should be taken up prior to the winter to prevent damage to the fence.

- 7) *The Committee notes that the main beach is a prime destination for visitors and summer residents and the Committee's opinion is that the Town has not taken its role of stewardship for the beach responsibly with regard to attending to Beach Maintenance, Upgrade and Upkeep tasks.*

The Beach Parking lot earns over \$1.75 million dollars each year and a portion of this revenue must be applied to the Beach maintenance, upgrade and upkeep if the Ogunquit Beach is to remain a jewel for our year round and summer residents and a destination for visitors to the Beach.

The Committee recommends that the Beach Manager position be elevated to a Beach Manager Tsar. This person would report to the Town Manager and in concert with the Code Enforcement Officer have responsibility for all construction activities at the beach. The Beach



Heritage Museum Committee and the Barn Gallery. A “one stop” shop for arts in Ogunquit.

Comments by:

**Diana Joyner**, Board Member, Ogunquit Museum of American Art  
**Ron Cruzan**, Director, Ogunquit Museum of American Art  
**Peter Lewis**, Ogunquit Playhouse  
**Steve Einstein**, Member and Treasurer for the Ogunquit Performing Arts Committee  
**Carole Lee Carroll**, Chair, Heritage Museum Committee  
**Nancy Davidson**, Barn Gallery, was not able to attend the meeting, but is very interested.

Town Manager Fortier is looking to the Select Board for action, to allow him to manage the project and move forward with a contract which will be brought before the Select Board at a future meeting.

It was the consensus of the Select Board to give the Town Manager preliminary endorsement of the ARTS Ogunquit project.

9.3 Amendments to Title V of the Ogunquit Municipal Code, Motor Vehicle Traffic & Parking Ordinance – Chairwoman Barbara Dailey

Select Board Action on the proposed Amendment to Title V, Chapter 12, Municipal Parking Lot Regulations, Types of Vehicles, Commercial Busses & Vans, Section 1206.2.1 – improved language for enforcement of Beach Impact Fees

**081914-06** Motion made by Gary Latulippe and second by John Daley, to accept the Amendment to Title V, Chapter 12, Municipal Parking Lot Regulations, as proposed by Mr. Quartararo, with the addition of “Any” (first sentence, first word and remove “An”); approved 5-0.

9.4 Amendments to Title III of the Ogunquit Municipal Code, Public Service, Chapter 3 – Sewer – November Special Town Meeting – Cliff Marchant, Administrative Services

Select Board Action on the proposed Amendment to be included on the November 4, 2014 Special Town Meeting Warrant – Section 304 – Restoration of Excavated Areas to be removed and included in Title XVI relative to Road Opening requirements

**081914-07** Motion made by Robert Winn and second by Gary Latulippe to accept the proposed Amendment to Title III, Public Service, Chapter 3 – Sewer Section, to be included on the November 4, 2014 Special Town Meeting Warrant ; approved 5-0.

9.5 Beach Erosion Article – November Special Town Meeting – Chairwoman Barbara Dailey

Select Board Action on a Proposed Article for Placement on the November Special Town Meeting Warrant. - Appropriate the Sum of Fifty-Thousand Dollars (\$50,000) from Undesignated Fund Balance to fund an Engineering Study for Beach Erosion

**081914-08** Motion made by John Daley and second by Gary Latulippe to appropriate the sum of \$50,000 from the Undesignated Fund Balance to fund the

Engineering Study to define the degree of erosion at the Main Beach and alternative solutions for corrective actions; approved 5-0.

- 9.6 Transfer of Funds from the “Natural Disaster Emergency Repair Fund” for Devil’s Kitchen Erosion– *Thomas A. Fortier, Town Manager*  
Select Board Action on the Transfer of Funds from the Natural Disaster Emergency Repair Fund for Erosion Project at the Devil’s Kitchen on Marginal Way

**081914-10** Motion made by John Daley and second by Robert Winn to authorize the Transfer of \$50,000 from the Natural Disaster Emergency Repair Fund for the Erosion Project at the Devil’s Kitchen on Marginal Way; approved 5-0.

- 9.7 Devil’s Kitchen Bid Award– *Thomas A. Fortier, Town Manager*  
Select Board Action on the Bid Award for the Erosion Project at the Devil’s Kitchen on Marginal Way

Five bids were received:

Shaw Bros. Construction	\$64,517
Wyman & Simpson	\$108,560
Terrance Edwards Landscaping	\$121,000
Chesterfield Associates	\$129,000
Maritime C & E	\$169,700

**081914-11** Motion made by John Daley and second by David Barton to accept the bid from Shaw Bros. Construction for \$64,517 for the Erosion Project at the Devil’s Kitchen on Marginal Way; approved 5-0.

- 9.8 Seacoast Energy Initiative – Municipal Lighting Projects Grant Award – *Thomas A. Fortier, Town Manager*  
Select Board Action on the Acceptance of a \$44,988 Grant Award from the Seacoast Energy Initiative

**081914-12** Motion made by Robert Winn and second by Gary Latulippe to accept the grant for \$44,988 from Seacoast Energy Initiative; approved 5-0.

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

- 10.1 Public

**Marjorie Katz**

- Comments on the rocks for the work at Devil’s Kitchen.
- Comments on Rosa Rugosa plantings.
- Comments on Beach Erosion issue.
- Comments on dog ordinances (marginal way, beach, dogs on outside patio)

**Steve Einstein**

- Comments on the engineering study of the Main Beach.
- Comments and history regarding Veterans Park.

10.2 Select Board

**Selectman Barton**

- Comments regarding trash on the beach.
- Comments regarding the use of porous pavement material on the Main Beach Parking Lot.
- Comments regarding Veteran’s Park improvements.

**Selectman Daley**

- Encouraged the public to attend the Beach Erosion Committee meetings.

**Selectman Latulippe**

- Comments on the Dog Ordinance.

**Selectman Winn**

- Noted that it is imperative to keep people out of the dunes.

**11.0 EXECUTIVE SESSION**

11.1 Personnel - [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.E]

Motion made by Robert Winn and second by Gary Latulippe to go into Executive Session at 10:00pm to discuss Personnel pursuant to Title 1, Chapter 13, Subchapter 1§405.6.E; approved 5-0.

**12.0 ADJOURNMENT**

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 10:25pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager