



**SELECT BOARD
MEETING MINUTES
SEPTEMBER 16, 2014**

1.0 EXECUTIVE SESSION - 5:30PM

Motion made by and second by Robert Winn and second by David Barton to go into Executive Session at 5:35pm to discuss:

- 1.1 Union [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.D]
- 1.2 Personnel [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.A]

Motion made by Robert Winn and second by Gary Latulippe to close the Executive Session at 6:34pm, approved 5-0.

No decisions were made during Executive Session.

2.0 CALL TO ORDER - 6:30PM

Meeting called to order at 6:41pm.

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

Others present: Thomas A. Fortier, Town Manager

Selectman Daley asked that a moment be taken in memory of George Rush (Distant Sands) who passed away on September 8th.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Selectman Latulippe.

4.0 REQUEST TO APPROVE SELECT BOARD MINUTES

4.1 September 2, 2014 - the minutes of the September 2, 2014 Select Board meeting were approved as presented.

5.0 TOWN MANAGER'S REPORT

(As reported online at www.townofogunquit.org)

There will be a meeting of York County Town Managers and Board Chairs to talk about opportunities of regional sharing. The meeting will take place on September 24th in Kennebunk. The objective is simply to gauge the interest level of consolidation, identify some opportunities, look at a general timeline and then to go back to our larger collective boards to see what is the interest level.

The Conservation Commission "*Beach Dunes River Clean up Day*" will be on Saturday, September 20th at 9:30am. Meet at the Main Beach Bath House.

The W-OCSD Ground Breaking Ceremony will occur at the Wells High School Parking Lot on Friday, September 26th at 12:00pm.

The York County Commissioners Annual Convention will be on Friday, October 10th at the Cliff House at 5:30pm.

Parks and Recreation

A proposed design for Veterans Park can be seen on the town web page www.townofogunquit.org. An engineering design was presented at the 8/19/14 Select Board meeting. The new design is meant to complement the Route 1 project. We hope to start the project this 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 pedestrians to our most valuable asset.

One hundred (100) Rosa Ragusa's were planted along the Main Beach Parking lot and behind the Norseman in an effort to beautify our community and to ratify any erosion concerns.

A celebration honoring resident Isabel Lewando will occur on Thursday, September 25th at 4:00pm. The estuary located in the Footbridge parking lot area will honor Isabel and her contributions to our community.

Visitor Services

It is the end of another summer, and we would be remiss if we did give out a genuine *"Thank You"* to all staff and volunteers for their herculean efforts. The Town strives to improve on our service delivery models, maintaining the high standards expected by all who live, work, and vacation here. Parking Revenues remain healthy and we are a slightly ahead of last year's revenue.

Finance/Budget

Pending completion of the FY 2014 audit, the Town's Undesignated Fund Balance stands at \$2,953,505. The total auditor's recommended minimum for the Undesignated Fund Balance is \$2,031,725. Simply stated, we are in strong fiscal standing.

The Dunaway Staff have been working closely with Tyler Technologies to transfer our "Vision" assessing program to our MUNIS software programming. This migration will allow for tax bills to be generated. The tax bills will include additional information which you should find helpful. Also, the Town will go back to a Bi-annual tax bill. Too many tax payers were "forgetting" the second payment. Again, we trust that you will find this helpful.

Another change forthcoming is secondary to the ordinance adopted by the Select Board last spring; tax bills will be submitted to condominium property managers instead of property owners. This will eliminate the need for the Town to produce approximately 1,000 tax bills.

We have added a link for the public to communicate with the Budget Review Committee (BRC). A link can be found on the Town website. From the "Comments/Notifications" button on the website menu bar, there is a link to a form where a viewer may post a comment or question to the BRC. The form is also accessible from the BRC Committee page available from the "Boards/Committee" button on the website menu bar.

This coming budget season, Budget Review Committee meetings will be televised.

Land Use/Code Enforcement

The Beach Erosion Committee now has a link on the Town website. Click on this link and you will find minutes, agendas, and other pertinent information.

Selectwoman Dailey, Selectman Barton and I met with the owners of the Trolley Company. Some of the issues discussed were scheduling consistency, trolley stops, rate changes, driver behaviors, traffic and future services.

Selectwoman Dailey, resident Doug Mayer and I met with and negotiated a sale price for the land referred to as the "Basset Property." The Town (secondary to town meeting approval) will utilize the 38 acres as conservation land.

The 3rd Annual Black Swallowwort Pod Picking Day gathered close to 50 volunteers (last year about 18) and collected 953 pounds of invasive (last year 550). A sincere thank you to residents Joan Griswold, Peter Griswold and Helen Horn for their magnificent efforts on this campaign to protect the Marginal Way. The committee also worked with a licensed applicator from *New England Spray Technology* to eradicate some of the Black Swallowwort and Bittersweet along the Marginal Way path.

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 Project Update

We have received some welcomed flexibility on timelines and the project will most likely be pushed to November/December. The town staff has been working closely with the Maine Department of Environmental Services to obtain the necessary 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)!

Arts Ogunquit

The Select Board has heard about a new and exciting initiative. "Arts Ogunquit" and 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, the 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.

Police Department

The Police Departments Facebook page received 174K hits last week! If you have not visited <https://www.facebook.com/pages/Ogunquit-Police-Department/74415701885>, you really need to see what your missing! Thank you to Lt. Matt Buttrick for his time and efforts on this community initiative.

An Ogunquit Police Officer has been chosen to participate in the prestigious Maine Department of Drug Enforcement agent program. This is a fully reimbursed position. This is a highly sought after and competitive position for police departments' state wide. The Town of Ogunquit will see revenues from this of all seizures and forfeitures our officer is involved in. The Town will also have an officer receiving valuable and significant investigational experience. The Town will also benefit by receiving assistance from MDEA for any cases here in Ogunquit.

Fire Department

A new defibrillator approved for this year's budget has arrived and is in service. We had purchased one of these last year to replace our aging units and this unit replaces the other one on the second rescue. The other units were 15 years old and had old technology.

The new power stretcher for the lead rescue has arrived and is in service. This was bought from the equipment account from last year. This unit is a power stretcher which means it has a raise and lower feature that is battery operated. The old stretcher had manual lift wheel assemblies that required bending over to lift them. This unit should reduce back injuries putting and taking patients out of the ambulance.

A reminder to all residents: The heating season is upon us! Please maintain your heating system and also check vents and piping periodically. This past weekend, we had another close call with carbon monoxide poisoning in an elderly couples home.

Public Works

The Dunaway Center received upgrades to the lighting via a \$45,000 SEI Grant. The town expects significant savings on future energy costs.

The PWD crew repaired the rotted timbers and entrance to Perkins Cove. It looks fantastic!

Woodbury Lane Reclaim Project and the Ogunquit Beach Lot & Roadway Reclaim Project are out to bid.

The Perkins Cove Public Restrooms are scheduled to be under construction soon.

Harbor Master

A new ramp, 3 pilings, and 10 twenty-four foot (24') docks will replace the old ones in Perkins Cove, secondary to a \$50,000 Small Harbor Improvement Grant obtained by Harbormaster Fred Mayo.

The Town is working closely with the owners of (2) fuel tanks in Perkins Cove. The tanks are located on town property and several conditions need to be met to satisfy liability, containment and code requirements.

Upcoming policy items to consider

- Trolley Ordinance Revision/Updates
- 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
- Use for Old PWD Garage on Captain Thomas Road
- Ogunquit Village School - Policy on future use of property

6.0 PUBLIC INPUT (AGENDA ITEMS)

John Mixon, Vinton Road

- Comments regarding the proposed warrant article on the purchase of the land, would like to see deed reference if approved to prohibit tree harvesting.

Rick Dolliver,

- Comments regarding his benefit to raise money for the Barbara Bush Children's Cancer Program.

7.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

7.1 Isabel Lewando Memorial –*Robert Winn, Selectman*

Marcia Brazier – thank you to Select Board for naming the estuary after Isabel Lewando, thank you to Selectman Winn, thank you to Richard Boyce (for the pink granite stone). Gave a short history about the stone; extended an invitation to the dedication on Thursday, September 25th at 4pm.

Selectman Winn read the proclamation honoring Isabel Lewando.

8.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Robert Winn and second by Gary Latulippe to open the public hearing at 7:01pm, approved 5-0.

**8.1 Memorial Tribute for Representative Paul D. McGowan – *Winnie Mason, Resident*
Winnie Mason, 36 Thither Street**

Winnie Mason was in attendance to request Select Board permission to plant a tree in the Dorothea Jacobs Grant Common in memory of Representative Paul McGowan.

Town Manager Fortier will work with Mrs. Mason and Bobbie Treen to coordinate the project.

8.2 Veteran’s Park Revitalization – *Thomas A. Fortier, Town Manager*

Town Manager Fortier recapped the project and provided new information he has received.

Town Manager Fortier explained the significance of the Von Schlegell sculpture.

Jay Smith, 42 Shore Road

- Who was present and spoke at the original park dedication, provided additional information about the sculpture and the park.

Steve Einstein, non-resident

Motion made by Gary Latulippe and second by Robert Winn to allow Mr. Einstein to speak as a non-resident, and to limit it to three (3) minutes; approved 5-0.

- Comments regarding the original Veteran's Park Committee, he stated that he was a member of that committee.
- Comments regarding the existing memorial benches and if they would be included in the new plan.

Stillman Bradish, resident

- Comments regarding the new Veteran's Park Memorial.

Nick Lumenello, 221 Main Street

- Comments on the Veteran's Park revitalization.

8.3 ARTS Ogunquit - *Thomas A. Fortier, Town Manager*

Martin Crosby, resident

- Comments regarding the use of Ogunquit Village School as an Arts Center.

8.4 Fire Department Request for Fire Training Controlled Burn - *Mark O'Brien, Fire Chief*

Initial Request to Conduct a Practice Burn at 140 Stearns Road

Fire Chief Mark O'Brien was present to answer questions regarding the proposed training burn. Chief O'Brien stated that he was approached by the landowner, who plans on demolishing the building, to use it as fire training.

Bob Brown, Rockmere Lodge

- Comments as an abutter. Concerns that there is asbestos in the building, would need to be mitigated prior to the burn. Also voiced concerns about sparks hitting Rockmere Lodge.

Jay Smith, 42 Shore Road

- Commented that his house abutted the house used in the previous fire training burn. He stated that the fire department would need to control the height of the flame; ash and soot were a problem during the last burn.

Motion made by Robert Winn and second by David Barton to close the public hearing at 7:41pm; approved 5-0.

9.0 **ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS**

9.1 Order for the November 4, 2014 Special Town Meeting

Select Board Approval of the Order for the November 4, 2014 Special Town Meeting

091614-01 Motion made by Robert Winn and second by David Barton to approve the Order for the November 4, 2014 Special Town Meeting; approved 5-0.

9.2 Veteran's Park Revitalization – *Thomas A. Fortier, Town Manager*
Select Board Review and Action of the Proposed Revitalization of Veteran's Park

Town Manager Fortier stated that he understands the importance of the Von Schlegell sculpture and plans to incorporate it into the design of the park. The sculpture needs to be fixed and will have that attended to. He is requesting that the Select Board allow him to move forward with the project as he would like to get it completed by spring. He was informed by Treasurer John Quartararo that the funds that he anticipated using need to be used by December 31, 2014. If not used, then the funds will drop into Undesignated Fund Balance and no longer be accessible for the project.

Selectman Winn stated that the park is in need of an upgrade, but there are dedicated items in the park that need to stay there. Asked if there should be a committee to work with the Veteran's to understand the needs, townspeople should have input.

Selectman Latulippe stated that there needs to be continued recognition from the prior dedication. He suggested that the Board move forward with approval of the project with flexibility on the Von Schlegell sculpture.

Chair Dailey stated that this is a pretty straightforward project. The final design should provide recognition and continued acknowledgement of the prior dedication.

091614-02 Motion made by John Daley and second by Gary Latulippe to accept the Veteran's Park Revitalization as presented with the condition that the current monument be included in the design of the park; approved 5-0.

9.3 ARTS Ogunquit – *Thomas A. Fortier, Town Manager*
Select Board Review and Action on a Proposal to utilize the old "Land Use Building" as an Arts Collaborative

Town Manager Fortier presented a proposed lease agreement that he had received from the Ogunquit Playhouse.

091614-03 Motion made by Robert Winn and second by David Barton to utilize the old "Land Use Building" as an Arts Collaborative with

the five (5) organizations that have been recognized (Barn Gallery, Ogunquit Heritage Museum, Ogunquit Museum of American Art, Ogunquit Performing Arts and The Ogunquit Playhouse); approved 5-0.

9.4 Ogunquit Professional Firefighters IAFF 3771 Contract Ratification
Select Board Action on the Ratification of the 2013-2016 Ogunquit Professional Firefighters IAFF 3771 Contract

David Moore, President of the OPF, Local 3771, was in attendance. Mr. Moore thanked Chair Dailey and members of the negotiating team for the hard work that went into finalizing the contract; it is an extensive collective bargaining agreement. Thank you to the citizens of the town for their support. He stated that it was an honor to be part of the process.

Chair Dailey thanked all who were involved in the negotiations, it was 16 months of hard work.

091614-04 Motion made by David Barton and second by Robert Winn to ratify the document entitled "An Agreement by and between The Town of Ogunquit and The Ogunquit Professional Firefighters Association, International Association of Fire Fighters, Local 3771, AFL-CIO-CLC, July 1, 2014 to June 30, 2016"; approved 5-0.

10.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

10.1 Warrant for the November 4, 2014 Special Town Meeting
Select Board Approval of the Warrant for the November 4, 2014 Special Town Meeting

091614-05 Motion made by David Barton and second by Robert Winn to approve the November 4, 2014 Special Town Meeting Warrant to the Town Clerk, as amended; approved 5-0.

10.2 Fire Department Request for Fire Training Controlled Burn - Mark O'Brien, Fire Chief
Initial Request to Conduct a Practice Burn at 140 Stearns Road

This agenda item will be moved to the next meeting of the Select Board on October 7, 2014 for action.

10.3 Memorial Tribute for Representative Paul D. McGowan – Thomas A. Fortier, Town Manager

091614-06 Motion made by Robert Winn and second by David Barton to allow the planting of a tree in the Dorothea Jacobs Grant Common in memory of Representative Paul McGowan, with \$200 for the purchase of the tree from the Parks & Recreation Department budget; approved 5-0.

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

11.1 Public

Martin Crosby, resident

- Comments about the use of the Ogunquit Village School as a place for Art Studios.

Stacey Crowell, business owner

- Comments regarding compliments, complaints and comments that she had received over the summer. Ogunquit has become a destination and welcome center for Maine. She stated that she had received many comments about the Main Beach Bathroom and the conditions they were in.

Lesley Mathews, resident

- Thank you to Stacey regarding her comments on the condition of the bathrooms. Ms. Mathews feels that the town should have an attendant on duty at the Main Beach facility.

11.2 Select Board

Selectman Winn

- Stated he agrees with the comments made about the conditions of the bathrooms, need money for infrastructure improvements. All bathrooms need to be upgraded.

Selectman Latulippe

- Stated that he agreed with Selectman Winn's comments, infrastructure needs to be addressed. Need to get voter support for funding; Ogunquit Beach is our #1 asset.
- Thank you to the Select Board members who spent a ton of time with the union negotiations.

Selectman Barton

- Comments regarding the ventilation (lack thereof) in the restrooms.

- Comments regarding the conservation land acquisition, would agree to eliminate any language regarding clear cutting from an agreement.

Selectman Daley

- Noted that deed restrictions are more important than a vote in reference to “clear cutting”.
- The Budget Review Committee did their due diligence regarding the Beach Erosion request, but does not support the \$50,000. He hopes that the voters will support the Select Board recommendation.
- Stated that the Board does not have enough information to make a decision on erosion
- Also noted that there is plenty of beach at high tide.

Chair Dailey

- Thank you to Stacey for keeping her “ear to the ground”.
- Infrastructure (bathrooms) need to be supported by the voters, many things need attention that are not free. Need to keep an eye toward major priorities before launching into the budget process.
- Suggested that a joint workshop be held with the Budget Review Committee to have conversations about issues, set expectations on major projects.

12.0 ADJOURNMENT

Motion made by Robert Winn and second by Gary Latulippe to adjourn the meeting at 9:15pm; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager