



**SELECT BOARD
MEETING MINUTES
OCTOBER 21, 2014**

1.0 CALL TO ORDER:

Meeting called to order at 6:00pm.

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

Others present: Thomas A. Fortier, Town Manager

1.1 Pledge of Allegiance

The Pledge of Allegiance was led by Selectman Daley.

Chair Dailey explained the changes to the agenda format, stated that this is a work in progress.

1.2 Approval of Select Board Minutes

The minutes of the October 7, 2014 Select Board Meeting were approved as amended.

2.0 TOWN MANAGER'S REPORT

Town Manager Fortier expressed condolences to Richard and Mary Littlefield for the loss of their daughter, Terri Littlefield (54), who passed away a week ago.

Town Manager Fortier explained the envelope of materials that some residents may be getting regarding the Route One Project from Quimby Appraisal and R-O-W Services. If anyone is overwhelmed by the documents, please stop by the office. To summarize, this paperwork from MDOT is asking permission to work on landowner's property during the project. It is important for resident to respond, since the MDOT cannot move forward until they receive signed documents.

Expecting a Northeast Storm over the next three days, this is pretty significant, recommend that homeowners plan appropriately. Ramps removed at the beaches,

public works is sweeping in preparation and will be monitoring catchbasins. This is the type of storm that will bring sand back to the beach.

Town Clerk Christine Murphy would like voters to be aware that the last day to pickup an absentee ballot will be Thursday, October 30th. To date, 146 absentee licenses have been taken out.

Clam Licenses go on sale on Friday, October 31st at 8:00am.

Town Manager Fortier commented on the Porta-Potty issue over the weekend at Perkins Cove.

Town Manager Fortier also gave a power point presentation regarding the float construction in Perkins Cove, the new lettering on the side of the Dunaway Community Center and an ad that was circulated regarding the Pesticide Ordinance that is on the November 4th Special Town Meeting ballot.

(As presented online)

MDOT reports that the bid for the Route 1 Rehabilitation Project will go out December 24, 2014. They hope to secure a contractor in January and start mobilization for the project in March 2015. The construction will start at the Wells/Ogunquit town line. The project is now estimated at \$18 million dollars! That's a significant investment in our community! The project calls for sidewalks and granite curbing from town-line to town-line, two new bridges and improved drainage.

The "*Draft Final Report for the Central York County Connections Study*" is now available for your review and comments can be made on the MaineDOT web page link shown below. They will accept substantive public comments to the Draft Final Report through November 14, 2014. As noted on the web page, you may either submit comments electronically through the web site or send your written comments directly. Here is the web page link: <http://www.maine.gov/mdot/planningstudies/cycc/fsdraft.htm> Recently, York County Chairman's (or Vice), Town Manager's and Finance Director's got together to understand if there was an interest in possible opportunities of working collaboratively, sharing resources and regional development. In attendance: Town of Kennebunk- Kevin Donovan, Barry Tibbetts, Joel Downs; Town of Wells- Karl Ekstedt, Jon Carter, Jodie Sanborn; Town of Arundel- Dan Dubois, Todd Shea; Town of Kennebunkport- Sheila Matthews-Bull and Laura Smith. Tom Fortier and John Quartararo attended on behalf of Ogunquit. The meeting lasted about 1.5 hours and covered three main areas of topics. Is there interest in working together? What areas might we be interested in pursuing? And how to move forward? There was a consensus that having discussions about sharing resources, skill sets and service deliveries all have merit since each community has challenges with increasing costs.

A hearty "*Thank You*" to Kennebunk Savings for their contribution of \$600 to the Ogunquit Performing Arts Committee (And thank you to all who voted!).

Did you know that \$30,000 was raised by the Marginal Way Preservation Committee?

Lots of people were involved in this very successful endeavor. Thank You to Paul Breen and Catherine Palmer for coordinating.

Town Clerk/Elections

Absentee ballots are now available for the November 4th Gubernatorial Election. The 2-page warrant can be seen on line www.townofogunquit.org

Parks and Recreation

A "Request for Proposal" to renovate Veterans Park is due in front of the Select Board on October 21st. The updated plans can be seen on the town web page www.townofogunquit.org. An engineering design was presented at the August 19th Select Board meeting. The new design is meant to complement the Route 1 project. The funds for the project will come out of the original Route 1 funding. The prominent David Von Schlegell Art sculpture, which was donated to Veterans in 1989, will remain an essential part of the park. It will be restored and given a plaque to describe its significance.

Visitor Services

As you are aware, all taxpayers received a free beach pass this past year. Second passes were \$100. The final count revealed \$42,550.00 of revenue this year, compared to \$61,710.00 for 2013.

Thank You to the 20 volunteers who collected a fair amount of refuse at the *Annual Beach Cleanup* day sponsored by the Conservation Committee. Also, our thanks and appreciation goes out to Steve Shepard, J.P Argenti and the Lifeguards for transportation and Visitor Services for their assistance on this project.

The Perkins Cove bathrooms will begin construction soon. The building will be completely remodeled.

The maintenance crew has been out to North Beach this past week, working on the replacement of the shingles. This winter, staff will be renovating the inside of the Main Beach Bathrooms.

Traffic Engineers Gorrill- Palmer has been hired to take a look at the best use of the Main Beach circle. It will be exciting to see if any improvements can be made with the ingress and egress of that very congested area. Trolleys, taxis, lifeguards, drop-offs, parking lot, bathrooms, restaurants; it makes for quite a busy place.

Finance/Budget

The Town will be seeking bids for fuel and teaming up with the Town of Wells. Together, we will be asking for larger quantities and hope to get lower prices. There is no obligation, should the prices not come back favorable.

The 2015 tax bills were mailed last week. Secondary to tax payer response, the town will initiate the second bill notice in 6 months to remind tax payers that the second half of tax is due. We had started sending only one bill out and soon learned that many residents needed that reminder for second half payment due dates.

We also initiated the new policy which bills property managers of condominium & timeshares directly. This has eliminated the need for the town to send out approximately 1000 tax bills!

Finally, readable scan lines were added to the tax bills and hand-held scanners import the payment information into MUNIS instead of manually entering each payment.

Recreation

Resident Bill "Percy" Stevens will undertake an initiative to bring ice skating and sliding back to our community. Percy and his crew plan on building a skate park in the lower lot *"just like there was when I was a teen."* he stated. Thank You Percy!!! We also hope to add snow and transform the connecting road from upper to lower lot into a super slide!

A grant to rehabilitate the tennis courts at Agamenticus Park is underway. The approximate cost of rehabilitating tennis courts can be \$100,000 or more. Yikes!

We will also be adding pickle ball courts at Agamenticus Park for the spring/summer 2015 season.

Transfer Station

Staff has been busy replacing the pistons on the compactor. This past Thursday, both Chris and John were in on their day off to make sure the Transfer Station was functioning properly. Thanks gentlemen!

Here's a friendly reminder to **recycle, recycle, recycle!** Let's not get complacent. Our community recycles at a higher rate than most other communities. Trash costs money and recycling saves money. So keep up the good work.

Land Use/Code Enforcement

The staff in this department have been staying busy with Planning Board meetings, Zoning Board of Appeals, assessments, inspections, and permitting. In fact, the building activity in our town is up significantly this summer and fall.

Police Department

On Friday, Oct. 3 the police departments of Wells and Ogunquit joined forces with York County Community College to participate in emergency preparedness simulations at the college - See more at:

<http://www.seacoastonline.com/YorkWeekly#sthash.FEnXoMsf.dpuf>

Fire Department

Eight (8) of our staff attended a Fire Attack School to freshen up on current skills as well as learn about cutting edge information on fire fighting, prevention and life support services. This school was scheduled during the weekend, so we all appreciate their dedication.

Public Works

The crew has been busy transitioning from summer to fall to winter.

The Flail Mower attachment has been purchased and is being put to good use with roadside mowing.

We recently solicited the Town of Waterboro to request contracts for winter maintenance of roads (plowing, sanding, etc.). We are always looking for more efficient ways of doing business on behalf of the tax payer.

Harbormaster

Owners of the Fuel Tanks have begun the removal so we can move forward with construction of the new public restrooms in Perkins Cove.

We are also taking a closer look at how we store Waste Oil generated by the fishing industry. We have aging facilities and must take a closer look at avoiding any mishaps and take the precautions necessary to protect our Cove.

Perkins Cove will be busy this Tuesday-Friday when Maritime Construction arrives with a barge and replaces our aging floats, docks, and pilings.

Recently, 3 dead seals on have washed up on our beach. We have not heard of any explanation and hope we do not have to attend to anymore.

Upcoming policy items to consider:

- The use of outside interest groups to fund political campaigns of committees
- Trolley Ordinance Revision/Updates
- Vacation Rentals: Business registration, Code + Safety, Lodging Tax, Liquor Licensing , Impact Fees
- Use for Old PWD Garage on Captain Thomas Road
- Ogunquit Village School- policy on future use of property

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

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

4.0 PUBLIC HEARING - LICENSE RENEWALS

Motion made by Robert Winn and second by David Barton to open the Public Hearing at 6:20pm; approved 5-0.

- 4.1 Jonathan's Restaurant - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no questions from the public in attendance.

Representation from Jonathan's Restaurant was in attendance.

102114-01 Motion made by Robert Winn and second by Gary Latulippe to approve the Malt, Spirituous & Vinous License Renewal for Jonathan's Restaurant; approved 5-0.

- 4.2 Jonathan's Restaurant - Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no questions from the public in attendance.

102114-01 Motion made by Robert Winn and second by Gary Latulippe to approve the Amusement License Renewal for Jonathan's Restaurant; approved 5-0.

- 4.3 Old Village Inn - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no questions from the public in attendance.

Dean Goodman was in attendance to represent the Old Village Inn.

Selectman Daley questioned the issue with the fuel tank that was in the Fire Department Report. Mr. Goodman stated the problem had been fixed.

102114-02 Motion made by Robert Winn and second by Gary Latulippe to approve the Malt, Spirituous & Vinous License Renewal for the Old Village Inn; approved 5-0.

- 4.4 Old Village Inn - Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no questions from the public in attendance.

102114-02 Motion made by Robert Winn and second by Gary Latulippe to approve the Amusement License Renewal for the Old Village Inn; approved 5-0.

5.0 PUBLIC INPUT (Any Topic)

Bob Glidden, 13 High Ridge Lane

- Read a note that he had written to the editor of the local magazine regarding the rejection of the live fire training exercise by the Select Board that had been requested by the Ogunquit Fire Department.

6.0 PUBLIC HEARINGS - PRESENTATIONS

6.1 November 4, 2014 Special Town Meeting Public Hearing

To receive public comments and questions regarding Warrant Articles for the Special Town Meeting on November 4, 2014:

- *Article 2: Proposed Ordinance Amendments to Title II, Health, Safety & Welfare, Chapter 11, Pesticide/Herbicide Usage*
- *Article 3: Proposed Ordinance Amendment to Title III, Public Service, Chapter 3, Sewer, Section 304, Restoration to Excavated Areas*
- *Article 4: Proposed Ordinance Amendment to Title IX, Business Ordinance, Chapter 3, Section 302.1.1, Amusement Ordinance, to Extend the Filing Requirements from one (1) to fifteen (15) days*
- *Article 5: Proposed Ordinance Amendments to Title IX, Business Ordinance, Chapter 9, Business Registration, Business Registration Requirements & Inspections*
- *Article 6: Proposed Ordinance Adoption, Title XVI, Streets, Sidewalks and Other Public Places, Road Opening Requirements*
- *Article 7: Request to Appropriate \$50,000 from Undesignated Fund Balance for Engineering Study to Define Degree of Erosion at Main Beach*

Chair Dailey stated that she had heard from a voter who had picked up an absentee ballot. This person commented on the clarity of the warrant article wording. Chair Dailey stated that this language, indicated by the Town Clerk, is according to Charter. The Chair suggested to the Select Board that this be reviewed by the Board for the June Election.

- *Article 8: Request to Amend the Building Maintenance Reserve Account*
- *Article 9: Request to Appropriate \$300,000 from the Land Conservation Fund (\$200,000) and Undesignated Fund Balance (\$100,000) to purchase 39.7 Acres of conservation land located on Vinton Road*

Motion made by Robert Winn and second by Gary Latulippe to close the public hearing at 6:32pm; approved 5-0.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

7.1 Beach Erosion Committee – Paul Breen, Chair, Beach Erosion Committee

Select Board Review of Informational Campaign for the November 4, 2014 Special Town Meeting - Article 7

Paul Breen was in attendance with a sample of the proposed informational poster to be placed on A-frames. Information is the same as last presented with a couple minor changes.

Mr. Breen stated that private funding will pay for the posters at a cost of about \$40 each. The committee voted and approved the poster.

Discussion was held regarding the use of private funding on behalf of a town committee and whether it should be permitted in the future.

It was the consensus of the Select Board that they are aware of and okay with the Informational Campaign.

7.2 Capital Projects Related to Route One Project – *Thomas A. Fortier, Town Manager*
Select Board Review of Capital Projects Related to the Route One Master Plan (Veteran’s Park, Lower Lot and Shore Road)

Town Manager Fortier stated that this discussion it to make residents aware of the projects in conjunction with the Route One Project (Veteran’s Park, intersection of Shore Road and Route One, Beach Street and Lower Lot). Mr. Fortier stated that in the upcoming budget process, there will be a need for a contingency account for projects related to Route One. There is a significant amount of drainage that will be the town’s responsibility. Mr. Fortier stated that drainage will be done in conjunction with the Conservation Commission grant that is currently underway.

Mike Horn commented on the town’s responsibility relative to the “Stormwater Run-off Grant”.

7.3 WOGT Political Programming – *Jordan Freedman, Information Services Director*
Select Board Discussion on Policies & Procedures for Access to WOGT Programming

Mr. Fortier explained that recently there have been several issues by town committees that have come before the Select Board regarding information for warrant articles.

Jordan Freedman explained the rules that he runs the WOGT Channel 3 by. The document that he uses as a guideline prohibits political activities/programming.

7.4 Purchase and Sale Agreement for Conservation Land – *Thomas A. Fortier, Town Manager*
Select Board Approval on the Purchase & Sale Agreement for 39.7 Acres of Conservation Land located on Vinton Road

Comments from the Select Board regarding conservation land language in the Purchase & Sale agreement. Concerns were expressed regarding the closing date and appraisal value

102114-03 Motion made by Robert Winn and second by David Barton to approve the Purchase & Sales Agreement for 39.7 Acres of Conservation Land located on Vinton Road, Map 16-Lot 6 and Map 16-Lot 6-1 as presented; approved 4-1 (Latulippe opposed).

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

8.1 Bid Award – Veteran’s Park Revitalization – *Thomas A. Fortier, Town Manager*
Select Board Action to Award the Contract for Veteran’s Park Revitalization Project

Eight contractors were present for the mandatory site walk; four bids were received for the project.

Myles Franey Landscaping, Inc.	\$38,500
Bibb Rock Landscaping	\$38,640
Millennium Granite	\$41,720
Terry Edwards Landscaping	\$57,650

102114-04 Motion made by Robert Winn and second by David Barton to award the bid for the Veteran’s Park Revitalization to Franey Landscaping, Inc. for the bid amount of \$38,500; approved 5-0.

8.2 Perkins Cove Fuel Tanks – *Thomas A. Fortier, Town Manager*
Select Board Discussion on Future Policy of Fuel Tanks on Town Property in Perkins Cove

Town Manager Fortier stated that the purpose of this agenda item is to get everyone up to speed on what is happening, this is a very important issue. This will be coming to the Select Board at a future meeting as a policy decision.

The policy decision that needs to be addressed is the location of fuel tanks, which are currently now on town property.

Mr. Fortier will be meeting with the Harbor Committee, Friday, October 24th to discuss this issue.

Mr. Fortier stated of the two tanks located, one of the tank owners is being very cooperative and the other is not. He stated that he had contacted legal counsel today to deal with the issue. There has been sufficient documentation requesting the removal of the tanks.

Mr. Fortier explained that there is a need for a fuel tank in the cove. The draft contract and RFP in the Select Board packet were developed through legal assistance.

8.3 Bid Award – Dorothea Jacobs Grant Common Landscaping – *Thomas A. Fortier, Town Manager*
Select Board Action to Award the Contract for Dorothea Jacobs Grant Common Landscaping

Two contractors attended the mandatory site walk; only one bid was received for the project.

Myles Franey Landscaping, Inc.	\$6,600	one-year bid
	\$13,000	two-year bid (option)

102114-05 Motion made by David Barton and second by Robert Winn to award the bid for the Dorothea Jacobs Grant Common Landscaping to Myles Franey Landscaping, Inc. for the bid amount of \$6,600 for a one-year contract; approved 5-0.

9.0 MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP

9.1 Select Board

Selectman Daley - Regarding Article 7 requesting \$50,000 for Beach Erosion Study Support. Mr. Daley asked that the residents give the Select Board the benefit of the doubt and support Article 7. More studies and data are needed.

Selectman Barton - echoed the thoughts of Selectman Daley. Need more information pertaining to our beach. Reports that have been referred to are not specific to our beach. Selectman Barton asked for resident support of Article 7.

Chairwoman Dailey - comment about Article 7, need more information to figure out what is appropriate and what is inappropriate to do to protect the beach. It is important to remember, that though asking for \$50,000 allotment, will be doing an RFP and the Town Manager will be managing it like any other project.

Chairwoman Dailey commented on the Ogunquit Performing Arts-Ogunquit Museum of American Art performance on October 18th. It was a very successful musical event and wonderful venue.

Next scheduled meeting date of the Select Board is November 18th.

Motion made by Robert Winn and second by David Barton to take a ten minute recess at 7:32pm; approved 5-0.

10.0 WORKSHOP: Select Board Priorities FY 15

The Select Board met to review priorities for the 2014-2015 Fiscal Year.

11.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting at 9:20pm, unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager