



**SELECT BOARD
MEETING MINUTES
MAY 5, 2015**

1.0 CALL TO ORDER: 6:00PM - 8:00PM

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 Winn.

1.2 Minutes for Approval - April 7, 2015

The minutes of the April 7, 2015 Select Board meeting were approved as written.

1.3 Minutes for Approval - April 21, 2015

The minutes of the April 21, 2015 Select Board meeting were approved as written.

2.0 TOWN MANAGER'S REPORT

MDOT Route One construction will start night construction May 3rd. Today received numerous complaints from the public regarding the night work. Mr. Fortier will attend a meeting tomorrow morning with the MDOT and Grondin Construction about the noise.

Kennebunk, Kennebunkport & Wells Water District and the Ogunquit Sewer District are updating their infrastructure during this Route 1 project.

Perkins Cove Public Restrooms are complete and open.

This past Saturday, May 2nd, over 300 participated in the beach pass program, thank you to Diane Moore and her staff.

The inaugural C&J bus trip daily to New York City occurred this past weekend.

The Select Board passed a budget with a 2.7% increase this past week, features a very strong CIP budget.

Online Rapid Renewal is now available, as well as residents can now get plates here at town hall.

The Town Warrant for the June Town Meeting is online; the Information Packet will be coming out next week. Absentee Ballots are available May 8th.

Town Manager comments regarding an inebriated individual incident which was handled by the Police Department very professionally.

Town Manager comments regarding a mentally ill person, displaced person that was taken care of by the Police Department.

Comments regarding rescue calls and fire call.

Treasurer Quatararo reported that 93% taxes due on May 1st have been paid; the state average is 85%.

Harbormaster Mayo has applied for two grants, one from the Small Harbor Improvement Grant Program for \$200,000 and one from the Shore and Harbor Grant Program for \$20,000.

“Drug Take-Back Day” was very successful; 23,500 pounds of drugs were taken back statewide.

On May 16th Volunteers of America will hold an informational forum regarding Elderly Housing at the Ogunquit Village School in Ogunquit; this meeting will start at 10:00am.

- 2.1 Debriefing – Blue Water Inn Fire – *Mark O’Brien, FireChief*
Norm Labbe, KK&WWD Superintendent

Chief Mark O’Brien gave a brief overview of the incident and made comments to dispel rumors that are going around. Seven departments were present: Ogunquit, Eliot, Wells, York Beach, York, Portsmouth Naval Shipyard and South Berwick.

Chief O'Brien stated that the Department of Environmental Protection was notified and the State Fire Marshall's Office was called in to investigate the fire. Absorbent Booms were placed in the water by Beach Erosion Committee to capture pollutants.

Thanked the Public Works Department, who came in and swept the streets and put up barricades. Thanked the public and local businesses for all their support.

Thanked the two Police Officers that were on duty who came to assist as well as two off duty officers who came back in to help.

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 6:36pm

4.1 Cornerstone - *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.

Michael Cavaretta was in attendance to represent Cornerstone.

050515-01 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal Application for Cornerstone; approved 5-0.

4.2 Cornerstone - *Amusement 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.

050515-01 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal Application for Cornerstone; approved 5-0.

- 4.3 Fresh Ogunquit - 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.

Jim Oliver was in attendance to represent Fresh Ogunquit.

050515-02 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal Application for Fresh Ogunquit; approved 5-0.

- 4.4 Pizza Napoli - 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.

David Giarusso, owner of Pizza Napoli, was excused from attendance at the Public Hearing.

050515-03 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal Application for Pizza Napoli; approved 5-0.

- 4.5 Roost Café & Bistro - 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.

Robert Pinkham was in attendance to represent the Roost

050515-04 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal Application for the Roost Café & Bistro; approved 5-0.

- 4.6 Roost Café & Bistro - Amusement 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.

050515-04 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal Application for the Roost Café & Bistro; approved 5-0.

- 4.7 So Zap - 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.

This item was tabled due to the absence of representation.

- 4.8 Wild Blueberry Café - 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.

Nora Valentine was in attendance to represent Wild Blueberry Café.

050515-05 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal Application for Wild Blueberry Café; approved 5-0.

- 4.9 Wild Blueberry Café - Amusement 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.

050515-05 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal Application for Wild Blueberry Café; approved 5-0.

- 4.10 The Trellis House - Spirituous & Vinous License NEW 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.

This item was tabled due to the absence of representation.

5.0 PUBLIC INPUT (Any Topic)

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

6.0 PUBLIC HEARINGS - PRESENTATIONS

- 6.1 Lifeguard Services Presentation- JP Argenti, Lifeguard Captain

Lifeguard Captain JP Argenti was not present; this item was tabled for a future meeting.

6.2 Informational Public Hearing on Warrant Articles for the June 9, 2015 Annual Town Meeting – *Barbara Dailey, Select Board Chair*

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

Selectman Winn urged the votes to really know and understand the ordinance changes prior to voting.

Motion made by Robert Winn and second Gary Latulippe by to close the Public Hearing at 6:58pm; approved 5-0.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

There was no Unfinished Business before the Select Board.

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

8.1 Proposed Regulation Change for Ogunquit Beach and Marginal Way regarding Dogs – *Jeannette R. Wall, Resident*

Select Board Initial Review of Proposed Change of Regulations for Dogs Allowed on the Beach in Ogunquit; and Proposed Change to Marginal Way Regulations

Jeanette Wall and Bobbie Treen were in attendance to present what they would like to see changed, more days and hours for dogs allowed on the beach.

“Ogunquit has by far the most restrictive rules of the four towns. Resident dog owners would very much like to see dogs allowed on Ogunquit beach for substantially more days of the year.

PROPOSAL:

DIFFERENTIATE MARGINAL WAY FROM TOWN BEACH:

Separate the Marginal Way rules from the town beach rules. The Marginal Way is clearly a more confined walking path and warrants more restricted hours than the town beach.

BEACH:

The most fundamental need is for a longer beach off-season, moving from the current six months closer to eight to ten months, as neighboring towns do.

Proposed: Dogs allowed off-season and shoulder-season September 15-May 15 all day. This would be an increase to 8 months and avoid the Labor Day and Memorial Day holidays.

Proposed: Dogs allowed high season: May 16-September 16, sunrise to 8:00am.

MARGINAL WAY:

Proposed: Dogs allowed September 15-May 15 only, same as the beach, no high season hours (same as currently stands).

OTHER EXISTING RULES:

Other existing rules would remain as is. Dogs must be on leash, owners must pick up after dogs, no dogs on river estuary, etc.

PIPING PLOVERS:

Wells has a piping plover population and still has far more liberal regulations than Ogunquit for dogs on the beach. Currently there are no piping plovers in York or in Kennebunk."

David Barton read a letter from property owner, Robert O'Leary regarding this issue.

Bobbie Treen spoke about the social tapestry of people with dogs.

Selectman Barton is in favor of the change; suggested a citizens group of dog owners that would be self-policing.

Selectman Daley stated that he supports being more liberal.

Selectman Latulippe echoed comments made by Selectman Barton and Selectman Daley; suggested that a public forum be held to educate.

Chair Dailey stated that enforcement is the key issue, also commented on the problems with dog waste on the beach.

Since it would be a change to a municipal ordinance, it would have to go to a town meeting. The Select Board could put the changes on the ballot, or if they chose not to, the citizens could present a petition for the changes.

8.2 Beach Cleaning Policy - Thomas A. Fortier, Town Manager

Select Board Consideration of Current and Future Policy on Beach Cleaning Policy

Town Manager Fortier explained that our beach Cleaner, Doug Truman, has informed the town that he will no longer be cleaning/raking the beach. Do we continue to look for a new person, do the work in house and clean as needed or

allow the beach to become a natural beach? The natural beach area is the healthiest part of the beach, sand is higher and growth of the grass extends further. If left the beach natural, the other side of the coin is that it will no longer be the "best beach". Town Manager Fortier would like direction from the Select Board as this is a policy decision.

The consensus of the Select Board was to leave a wider area of natural area close to the dunes, but continue to clean the beach. Town Manager Fortier will look into having the work done by the town.

- 8.3 Renewal Agreement for the Town of Wells to Provide Dispatch Services for the Town of Ogunquit - *Patricia Arnaudin, Police Chief*
Select Board Action on the Renewal of the Dispatch Service Agreement with the Town of Wells

050515-06 Motion made by Robert Winn and second by David Barton to approve the Renewal Agreement with the Town of Wells to Provide Dispatch Services for the Town of Ogunquit for **FY 2016** (\$90,000), **FY 2017** (\$90,000) and **FY 2018** (\$95,000); approved 5-0.

- 8.4 Winter Maintenance of Roads Request - *Clifford Marchant, Administrative Services*
Requests by Property Owners on Grove Street, Maple Street, Stoneybrook Drive and Woodcrest Avenue for Winter Maintenance of Roads

Petitions and Easement Deeds were submitted by property owners of Grove Street, Maple Street, Stoneybrook Drive and Woodcrest Avenue requesting that the Town of Ogunquit plow and sand their private roads during the winter.

Selectman John Daley, who submitted a petition for his road, recused himself from the Select Board meeting discussion.

After discussion and input from Town Manager Fortier and Clifford Marchant, Public Works Superintendent, this item was tabled until the next meeting of the Select Board.

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

- 9.1 Select Board

Selectman Latulippe

- Our fire department did a really good job in containing what could have been a really disastrous situation. Thoughts are with Roger LaPierre and

the Norseman for the loss suffered at a tough time of year when are getting ready to open for the season.

Selectman Daley

- Acknowledge the passing of long time Ogunquit resident and past business owner Wayne Fette who passed away Friday night.
- Frannie Peabody 5K Fundraiser was held on May 2nd at the beach, race was won by Selectman Winn. Over \$100,000 was raised, which was more than last year. Participation of 360 who walked or ran.
- Stated that he wasn't at the last Select Board meeting and was taken aback when Roger Brown and Karen Arel spoke under Public Input about tourism. It's not "us" v. "them" (referring to residents v. tourists).

Selectman Winn

- Stated that he agreed with Selectman Daley, reiterated that he agrees that it is not "us" v. "them", it's all about what's fair, need to work together on it.

Selectman Barton

- Stated that Selectman Daley made a perfect case for re-evaluation with his comments.
- Commented on the fire at the Blue Water Inn and the traffic congestion. Discussed the idea of a boat to aid the fire department in areas like Perkins Cove with the congestion of traffic that occurs there in the summer.

Chair Dailey

- Commented on Selectman Daley's comments and the comments made by Roger Brown. Mr. Brown asked when the topic would be on the Select Board agenda...Chair Dailey suggested that the board think about how they would like to frame the conversation to make it a fruitful conversation.
- Stated that she appreciated the way Jeanette Wall approached the Select Board with her topic, the very professional approach and the submission of data.
- Stated that she took a walk today on the beach and inspected the snow fence that starts at the Norseman. Comments regarding the new fencing and the impression that anyone walking the beach will see that the town is serious about protecting the dunes.

10.0 ADJOURNMENT

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 8:21pm; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager