



**SELECT BOARD
MEETING MINUTES
FEBRUARY 16, 2016**

1.0 FY 2016-2017 BUDGET - 5:00PM

1.1 Review CIP Requests - Thomas A. Fortier, Town Manager
Select Board and Budget Review Committee Review of CIP Requests

Budget Committee Members in attendance: Chairman Bill Sawyer, Vice Chair Everett Leach and Carole Aaron.

The Select Board and members of the Budget Review Committee met to review the revised CIP recommendations made by the Town Manager.

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

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

2.1 Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

2.2 Select Board Minutes - February 2, 2016

The minutes of the February 2, 2016 Select Board meeting were accepted as presented.

3.0 TOWN MANAGER'S REPORT

Spring is coming and with it brings the spring projects:

- Plumbing for drinking fountain at main beach is being installed.
- Striping of parking lots.
- Paving.
- Painting the pickle ball courts.
- The old public works building on Captain Thomas Road, need to clean area and tear down building, and then decide what to do with that lot.
- Footbridge rehabilitation project is underway and talking about new bathrooms at the Footbridge.
- Will be hearing about the Beach Erosion Study in the next couple of weeks.
- Looking to replace the sidewalk at the corner of Route 1 and Shore Road (Bessie's).
- Building a budget for the upcoming fiscal year.
- Need to finish up the private road issue, will be contacting the 16 private roads that are currently being plowed.
- Welcomed new Police Officer Scott Flanagan. Officer Flanagan is a South Berwick resident and has spent 10 years as a Police Officer in New Hampshire.
- Spoke about the recent experience that Rich Burgess had with the Ogunquit EMT staff and what a great job they do.

Town Manager's Report from website:

Google names Ogunquit as Maine's eCity award recipient! Google's eCity Award recognizes the strongest online business community in each state. These cities' are using the web to find new customers, connect with existing customers and fuel their local economies. Portland was the 2014 recipient.

ROUTE 1 MDOT:

While working downtown, access will be provided for pedestrians but there will be some disruption as crews excavate directly in front of each business, portions of the sidewalks will be gravel during the winter, parking will be prohibited at times.

Legislative Bulletin:

The legislature is considering the question of whether or not current Maine Law allows members of public boards or commissions to participate in a public meeting without being physically present, via telephone or video conferencing. A new bill in draft legislation would prohibit any remote participation by boards of selectman,

school boards or other elected boards while allowing remote participation for all appointed boards.

Visitor Services:

The Visitor services staff is working with the Chamber of Commerce on redefining the Employee Business Pass Program. The Employee Business Pass Parking Program has outgrown the availability of public parking spaces in Obeds Lot. We hope to find solutions such as freeing up lower lot for the passes and the Chamber will be looking for alternative lots (Jonathans? Playhouse? Chamber lot?) and/or offering a shuttle to a satellite lot. Increasing the current \$50 fee to \$100 or limiting the number of passes will be other considerations. There are 170 parking spots in Obeds Lot and on any given day over 120 will be employee business passes. This has caused a real clash with resident beach pass holders and paying customers (Visitors). Let's resolve this issue together.

The Town has applied for a Practice Safe Skin Grant that would bring sunscreen dispensers to our beaches. The grant is meant to bring awareness to skin cancer and practicing safe habits such as applying sunscreen lotion will outside.

Finance/Budget:

We are in the midst of building the FY16-17 Municipal budget. The staff is committed to "holding the line" with operating costs as we also strive to aggressively address infrastructure and capital needs. Please touch base with a Budget Committee member or Select Board member to participate in the process of building a budget.

Town Clerk:

The Town Charter Committee is underway. Please touch base with a committee member or the Town Clerk, should you have any thoughts on how to improve the Town Charter.

The 2016 Mooring Bills have been computerized and the bills have been mailed.

2016 Business Registrations - We will be mailing out pre-filled Business Registrations, along with a letter of explanation. The businesses will have to review and make any changes on the form and return to Town Clerk with the fee of \$150. The form will then go to the Code Officer and Fire Chief for review. After both have approved the business, the form will come back to the Town Clerk who will print and mail a certificate to the business.

The remaining 35 resident clam licenses will go on sale to non-residents (must be a resident of Maine). The fee for these will be \$35.00.

Arthur Damren and Craig Thiede have started the process to become Shellfish Wardens. They will do online training and then attend two-day training in March. Arthur thought this would be a good idea as next year they hope to open the closed area of the flats and will need more than one warden.

Land Use Office:

The Land Use Office will be working with the Planning Board and other Town departments on updating the 2004 Comprehensive Plan.

In addition, workshops will be held over the coming months to discuss possible amendments to the Zoning Ordinance, such as: increasing the minimum lot size, possible restriction of "formula businesses", and other topics. The public is welcome to suggest additional ordinance amendment topics. Any comments should be directed to the Land Use Office.

Our staff is in the midst of updating the E-911 system, providing the most up to date information and a comprehensive review of all of the Town streets with directions. This will assure rapid response time by our emergency personnel.

The Town's Contracted Assessor has completed the required review of 25% of the resident's properties. The review ensures accurate information on property tax cards, which is used to determine tax billing amounts.

Police Department:

The Police Department has received the new Police SUV that was approved in last year's budget. The new design looks sharp!

Fire Department:

The new Scott Air Packs are in service on all of the trucks (20 of them). The old MSA packs are out of service. Our new compressor is in service as well. Our Firefighters experienced the new air packs in a smoke trailer that was located at the station. All the fulltime firefighters experienced the new air packs and became familiar with how they differ from the old ones, as well as obtained training for the new compressor.

Transfer Station:

Staff Chris Perry has received accreditation from the Maine DEP as Master Transfer Station Operator. Chris has been employed by the Town for 5 years and we are fortunate to have such a customer service oriented employee. Good work Chris!

The Transfer Station will be sending out a Request for Proposal for the hauling, trash disposal and return of roll-off containers. This RFP is done periodically to assure that we receive competitive bidding and pricing.

Parks/Recreation:

Congratulations to the Marginal Way Preservation fund for being selected as the beneficiary for the "Hannaford's Help" reusable bag program, Jeannie Roche and Paul Breen were informed that \$1.00 of the sale of each bag will help the Marginal Way (retail \$2.29).

Resident Joan Griswold continues to lead the invasive remediation program on Marginal Way. Joan and Steve Brook had a very productive day clearing out bittersweet and a bunch of other things growing high up into the trees at the Cedar Grove area recently. Altogether, cuttings were gathered and put into 4 large piles, and the Public Works Department assisted with the removal.

The Marginal Way Committee is looking into the purchase of a "people counter" for the Marginal Way. The People Counter is a battery-powered recorder, which allows the selection of the number of time events to be recorded, and provides data as to the number of people during a selected interval who walk the Marginal Way. This information has been requested by Grant Providers as part of Grant Request processes. This device supports the quantification of pedestrian traffic over a large number of time intervals. The recorded information is accessible by computer.

The formal presentation of the Marginal Way Committee's budget submission for FY16-17 addressed a summary of the invasive plant control work accomplished in the previous fiscal year, the invasive plant control work proposed for the next fiscal year and the proposed budget to support the proposed work in FY16-17.

Recently the City of Portland, Scarborough, and South Portland contacted Ogunquit, as they are considering a pesticide/herbicide ordinance like ours.

Harbor Master/Conservation:

The Town received a \$250,000 grant approval from MDOT Small Harbor Improvement program for the rehabilitation of the Footbridge. Earlier this year, the Town received \$20,000 from this program to inspect and engineer the Footbridge.

A site survey has been completed and the survey data has been incorporated into the design plans. The geotechnical engineer has completed three test borings onsite and provided boring logs and preliminary pile design recommendations. The Town staff met with the United States Coast Guard, the Department of Environmental Protection, the Maine Department of Wildlife and Inland Fisheries, and other regulatory agencies to begin the permitting process. A public meeting was held on January 19, and can be streamed online.

4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

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

5.0 PUBLIC INPUT (CURRENT AGENDA ONLY)**Helen Horn -62 Juniper Lane**

- Comments regarding the Sidewalk Art Show Special Event Permit application from the Chamber of Commerce.

6.0 PUBLIC HEARING - LICENSE RENEWALS

The public hearing was opened at 6:20pm.

6.1 Bessie's - Malt, Spirituous & Vinous License Renewal

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 Bessie's.

021616-01 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal application for Bessie's; approved 5-0.

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

Representation was in attendance from the Colonial Inn.

021616-02 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal application for the Colonial Inn; approved 5-0.

- 6.3 Colonial Inn - Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

021616-02 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal application for the Colonial Inn; approved 5-0.

- 6.4 Fresh Ogunquit - Malt, Spirituous & Vinous License Renewal
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.

021616-03 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.

- 6.5 Maine Street - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Norm Paquin was in attendance to represent Maine Street.

021616-04 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal application for Maine Street; approved 5-0.

- 6.6 Maine Street - Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

021616-04 Motion made by Robert Winn and second by David Barton to approve the Amusement License Renewal application for Maine Street; approved 5-0.

6.7 Oarweed Cove Restaurant - Malt, Spirituous & Vinous License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Representation was in attendance for Oarweed Cove Restaurant.

021616-05 Motion made by Robert Winn and second by David Barton to approve the Malt, Spirituous & Vinous License Renewal application for Oarweed Cove Restaurant; approved 5-0.

7.0 PUBLIC HEARINGS & PRESENTATIONS

7.1 Neighborhood Network - Sandy Shapiro, York Housing
Membership Organization providing One-stop Connection to Resources, Services Providers and a Social Calendar for Senior Citizens/50+

Sandy Shapiro was in attendance to explain the services that "Neighborhood Network" can provide to the senior adults in the community of Ogunquit.

Neighborhood Network is a Membership organization providing a one-stop connection to resources, service providers and a social calendar for members age 50+. We are a community of people in York County who prosper from directing our own lives and creating our own future pathways. The Network was established in July 2015 as a Member-based referral program, fashioned after the nationally renowned Beacon Hill Village. We are a non-profit, formed under the auspices of York Housing. York Housing does the vetting of anyone who volunteers for this program. Our Network offers more than what is found in models that focus on single issues such as housing, medical care or social activities. We also attract Members who seek more freedom and control over their lives.

The Network is always looking for volunteers of any skill set; and also looking for ways to get the word out (meetings, etc.).

7.2 Employee Business Pass Program - Ray Hamlin, Visitor Services Supervisor
Review of the Employee Business Pass Program

Town Manager Fortier explained the issue that is before the Select Board. The problem has been identified as "supply and demand" regarding the spaces that are

available. The staff has come up with the solution of freeing up the lower lot to relieve some of the supply and demand issues and to increase the fee from \$50.00 to \$100.00. The rationale is that if using a 60-day window, the fee would be less than \$3.00 per day, which is a reasonable fee. It was recommended that for this year, to not put a limit on the number of passes.

The long term solution should come from the Chamber of Commerce, not the town.

Karen Arel, Chamber of Commerce Executive Director

- Comments on the proposed increase in the employee business pass fee.
- Comments regarding areas for resident parking around town.

Rick Barber, Chair, Chamber of Commerce Board

- Comments regarding the portability of passes.
- Comments regarding satellite parking.

7.3 Main Beach Business Pass Program - *Ray Hamlin, Visitor Services Supervisor*
Review of the Main Beach Business Pass Program

Ray Hamlin and Rich Burgess, co-supervisors of the Visitor Services program, were in attendance to discuss the issue of Main Beach Business Parking Pass program which falls under Title V, Chapter 12 of the Municipal Code. This provides that parking permits will be valid at the Main Beach parking lot for overnight guests of the Blue Water Inn, Neptune Inn and the Norseman establishments during the hours of 11:00am on the date of arrival until 11:00am the next day. Another section of the code provides that there are no limits on the number of passes that can be purchased by the three establishments. During the 2015 season, the cost for shoulder season passes were \$5.00 and in-season \$9.00, this fee is established through Title V, Chapter 12, Appendix A. These fees were established by prior Select Boards and can be changed by the Select Board through a public hearing process.

This issue was brought to the attention of the Town Manager, Visitor Services and Select Board by a resident of the town.

Chair Dailey suggested that the Town Manager take a look at this issue and make a recommendation/proposal of a revised price structure to the Select Board at a future meeting of the board.

7.4 Rentals in Residential Zones - *Thomas A. Fortier, Town Manager*
Review of current ordinance and discussion of Rental Properties in Residential Zone

This issue has grown substantially in the Town of Ogunquit over the past few years. Town Manager Fortier reviewed the problem facing the town.

CEO Scott Heyland was in attendance to explain the rental standards in the Ogunquit Zoning Ordinance. Other than the seven day requirement, there are no other requirements for inspections, etc.

Bill Wood, Chestnut Road

- Commented on the ability for property owners to rent anywhere in town.
- Comments regarding the registration process for rentals and whether or not the town wants to go in this direction.
- Feels that this should be on the warrant for the June Town Meeting.

Jerry DeHart, 100 Cherry Lane

- Comments regarding the business license (registration) process and the inspection process feasibility with the current staff of the town.
- Questions regarding enforcement of the 7-day requirement.
- Need continued discussion regarding this issue.

Helen Horn, 62 Juniper Lane

- Comments regarding the quality of life issues that the transient rentals create, losing the soul of the community.

Motion made by Robert Winn and second by David Barton to move out of public session at 7:57pm; approved 5-0.

8.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

8.1 Ogunquit Sewer District Request for Easement - *Phil Pickering, OSD Superintendent*

Request for Town Easement for Two (2) Sewer District Projects at Footbridge and North Beach

Phil Pickering, Superintendent of the Ogunquit Sewer District, was in attendance to follow up the request for an easement. Mr. Pickering explained that he wanted to make sure that the easements were two separate issues. One is to clean up and expand an existing easement with the Town for the pump station. The other is the easement to build on the location at North Beach. The OSD is going before the Zoning Board of Appeals in March regarding the building at North Beach since the CEO denied the application.

021616-06 Motion made Robert Winn and second by David Barton to grant the easement deed to the Ogunquit Sewer District for consideration of \$1.00 (One Dollar) to give them the right to work on a permanent easement and right-of-way for the construction, reconstruction, repair, maintenance and installation of one or more pipelines, pipes or conduits, control enclosure, and related apparatus for the purpose of conveying wastewater, and including the right to enter upon the said premises, a certain lot of land on the northerly side of Ocean Street and Tern Street in the Town of Ogunquit, County of York; approved 5-0.

9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

9.1 Special Event Permit Applications- Karen Arel, Executive Director, Ogunquit Chamber of Commerce

Select Board Review and Action on the following Special Event Permit Applications:

- a. Patriot's Day (April 15-17, 2016)
- b. Sidewalk Art Show (August 29, 2016)
- c. Labor Day Weekend Sidewalk Sale (September 3, 2016)
- d. OgunquitFest (October 21-23, 2016)
- e. Christmas by the Sea (December 9-11, 2016)

Karen Arel reviewed the changes that have been made regarding the Sidewalk Art Show. Other than the art show, the other events are basically the same.

021616-07 Motion made by Robert Winn and second by Gary Latulippe to accept the Special Event Permit Applications for Patriot's Day, Sidewalk Art Show, Labor Day Weekend Sidewalk Sale, OgunquitFest and Christmas by the Sea pursuant to Title IX, Chapter 11 of the Ogunquit Municipal Code; approved 5-0.

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

10.1 Public Input

No input from the public in attendance.

10.2 Select Board Comments

Selectman Barton

- Comments on the Rental Property issue.

Selectman Daley

- Comments regarding having outside contractors register with the town. Would like more conversation about this.

Selectman Winn

- Comments regarding the permitting issue that was brought up.
- Keep open minds regarding the Rental issue.
- Comments regarding the beach and dune area; should be taking care of this resource.

Selectman Latulippe

- Good to have conversations regarding the issues.

Chair Dailey

- Should recognize where we have come over the last 5-6 years.
- Comments regarding the Comprehensive Plan process that is currently underway.
- Comments regarding the rental homes in residential districts.
- Commented on the Special Event Permit program.

11.0 ADJOURNMENT

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 8:57pm, unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager