

Charles L. Waite, III, Chair
Robert N. Winn, Jr., Vice Chair
John M. Daley
Richard A. Dolliver
Madeline S. Mooney



AGENDA
MEETING OF THE OGUNQUIT SELECT BOARD
TUESDAY, SEPTEMBER 19, 2017

AMENDED 09-18-2017

1.0 CALL TO ORDER: 6:00PM

- 1.1 Roll Call of Members
- 1.2 Pledge of Allegiance
- 1.3 Select Board Minutes - August 15, 2017
- 1.4 Select Board Minutes - September 5, 2017

2.0 TOWN MANAGER'S REPORT

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS, PRESENTATIONS

4.0 PUBLIC HEARINGS

- 4.1 Angelina's Ristorante - Malt, Spirituous & Vinous Liquor License Renewal
- 4.2 Shellfish Harvester Licenses 2017-2018- Shellfish Conservation Commission
Public Hearing to consider the recommendations of the Shellfish Conservation Commission relative to the anticipated opening of the clam flats for the 2017-2018 season and to set the fees for sale of clam licenses
- 4.3 Amendments to the Ogunquit Zoning Ordinance, Title X, - Shoreland Zoning Standards (Section 9.15) (available at www.townofogunquit.org Special Town Meeting Documents) - *Scott Heyland, Code Enforcement Officer*
Public Comment and Question on the *Proposed Title XVII of the Ogunquit Municipal Code - Shoreland Zoning Standards*
- 4.4 2017 Amendments to the Town of Ogunquit Zoning Ordinance (Title X) to Repeal Shoreland Zoning Provisions (available at www.townofogunquit.org Special Town Meeting Documents) - *Scott Heyland, Code Enforcement Officer*
Public Comment and Question on the Ogunquit Zoning Ordinance with the Repealed Shoreland Zoning Provisions
- 4.5 Notice to Extend Time to Prevent Automatic Vacation of Proposed But Unaccepted Ways ("Paper Streets") - *Pat Finnigan, Town Manager*
Public Comment and Question on the consideration whether to continue to except from operation of the time periods set forth in 23 M.R.S.A. Section 3032 those proposed unaccepted way, also referred as "Paper Streets"
- 4.6 Informational Public Hearing on the Proposed Warrant Articles for the November 7, 2017 Special Town Meeting - *Pat Finnigan, Town Manager*

Public Comment and Question on the Proposed Warrant Articles for the November 7, 2017 Special Town Meeting

5.0 UNFINISHED BUSINESS

5.1 Municipal Officers Certification of Official Text of Secret Ballot Referendum Questions - Pat Finnigan, Town Manager

Select Board Review and Action on the Certification of Official Text for the November 7, 2017 Special Town Meeting

- A. Amendments to the Ogunquit Zoning Ordinance, Title X, - Shoreland Zoning Standards (Section 9.15) Proposed Title XVII of the Ogunquit Municipal Code - Shoreland Zoning Standards
- B. 2017 Amendments to the Town of Ogunquit Zoning Ordinance (Title X) to Repeal Shoreland Zoning Provisions

6.0 NEW BUSINESS

6.1 Shellfish Harvester Licenses 2017-2018 - Pat Finnigan, Town Manager

Select Board Action to Set the Opening of the Ogunquit Clam Flats; and to Set Fees for the Sale of Clam Licenses

6.2 Notice to Extend Time to Prevent Automatic Vacation of Proposed But Unaccepted Ways ("Paper Streets") - Pat Finnigan, Town Manager

Select Board Review and Action on Notice to Extend Time to Prevent Automatic Vacation of Proposed But Unaccepted Ways ("Paper Streets") Pursuant to 23 M.R.S.A. §3032

6.3 Order for the November 7, 2017 Special Town Meeting - Pat Finnigan, Town Manager

Select Board Approval of the Order for the November 7, 2017 Special Town Meeting

6.4 Warrant for the November 7, 2017 Special Town Meeting - Pat Finnigan, Town Manager

Select Board Approval of the Warrant for the November 7, 2017 Special Town Meeting

**6.5 Consideration and Award of the Bid for the Public Works Heavy Duty Truck
Select Board Review and Action on the Award of the Bid for the Public Works Department Heavy Duty Truck**

6.56 Voting Credentials for MMA Annual Business Meeting - Pat Finnigan, Town Manager

Select Board Action to Designate Charles Waite, III as the Official Voting Delegate for the Town of Ogunquit at the MMA Annual Business Meeting

6.67 Award of Bid for the Website Redesign - Jordan Freedman, Information Services Director

Select Board Review and Action the Bid Award for the Website Redesign Town of Ogunquit Website

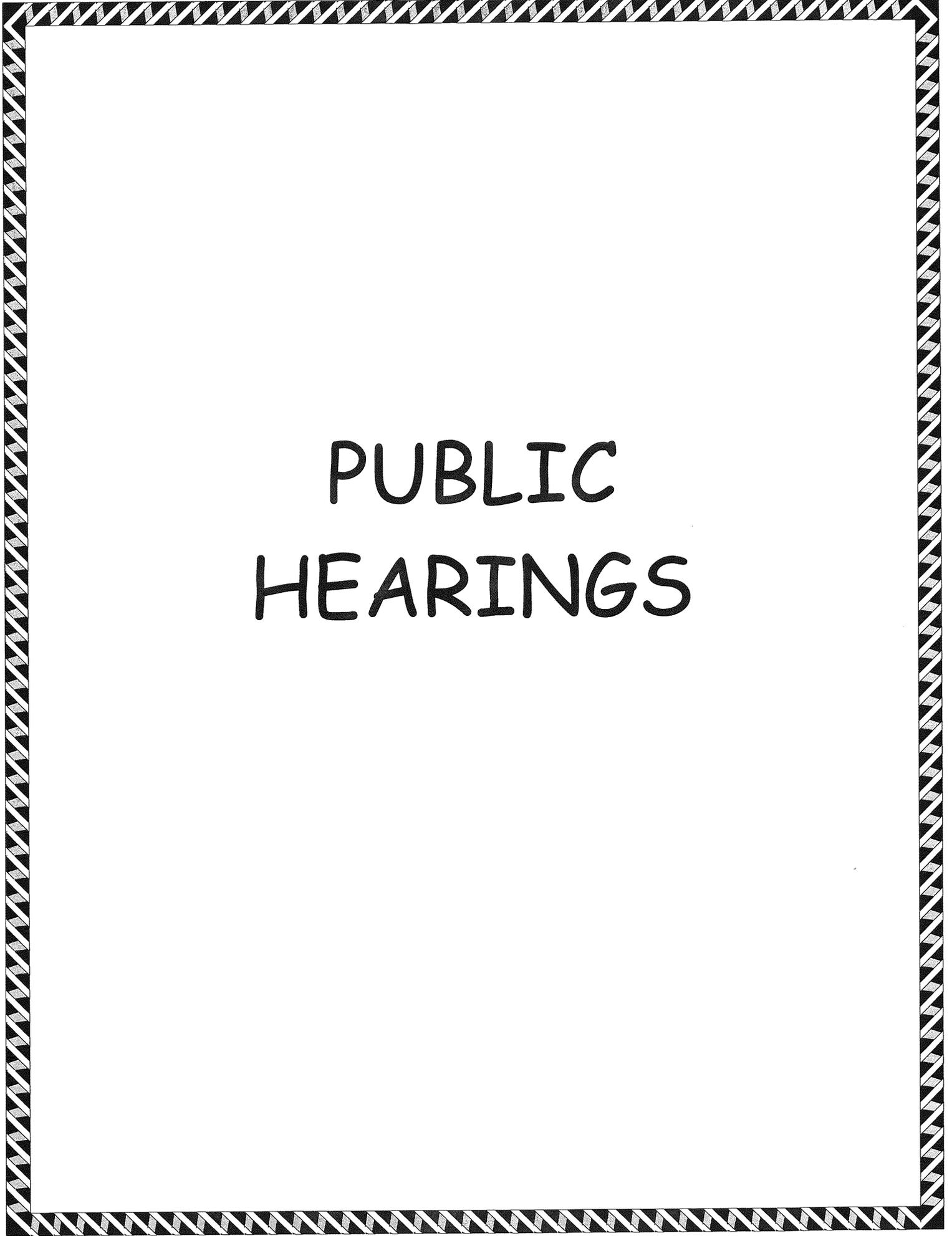
7.0 CITIZEN COMMENTS (For town topics not on the agenda)

The Select Board welcomes public comments and questions about Town-related issues that are not on the agenda. We ask that people keep comments on point and within 3 minutes.

8.0 OTHER BUSINESS

8.1 Select Board Reports and Announcements

9.0 ADJOURNMENT



PUBLIC HEARINGS

OGUNQUIT

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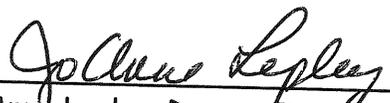
PUBLIC HEARING NOTICE

The Ogunquit Board of Selectmen will hold a Public Hearing on Tuesday, September 19, 2017, at 6:00 PM in the Auditorium of the Dunaway Community Center on School Street, Ogunquit, Maine for the following application(s):

MALT, SPIRITUOUS & VINOUS LICENSE (RENEWAL)

Angelina's Ristorante

655 Main Street


Jo Anne Lepley, Deputy Town Clerk

Posted by:


Patricia L. Arnaudin, Police Chief

Posted:

September 12, 2017
Dunaway Community Center
Ogunquit Post Office
Ogunquit Transfer Station
WOGT

OGUNQUIT

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9.11.17
@ 11:00am

OGUNQUIT LIQUOR LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR: 2017-2018
CURRENT LICENSE EXPIRATION DATE: 9-21-17

BUSINESS NAME: Angelinos Tislarok & Wine Bar
APPLICANT: DAWN GROSSO JR
EMAIL: Angelinososte@OL.com
BUSINESS REG #: 2017-18 ISSUE DATE: 2/24/17 MAP: 13 LOT: 49
OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 110

NOTE - SPECIAL ATTENTION

Applicants must procure the signatures of the following Town Officials, submit an original drawing at a scale of one inch (1") equals ten feet (10') of all areas on the premises which are open to the public and return said drawing with this completed application to the Town Clerk before a public hearing can be scheduled by the Select Board. APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		YES	NO	YES	NO	
Police Chief	<i>Patricio L. Hernandez</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	09-12-2017
Fire Chief	<i>Mark Obin</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9-11-17
Code Officer	<i>[Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9-11-17

ATTENDANCE AT PUBLIC HEARING IS REQUIRED PLEASE READ THE FOLLOWING CAREFULLY BEFORE SIGNING

I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense under the Criminal Code and is punishable by confinement of up to one (1) year or by a monetary fine of up to \$500 or both.

APPLICANTS SIGNATURE _____

FOR OFFICE USE ONLY

Application Fee: \$200 Date Paid: 9/7/17 Check/Cash Check #: 11124
Background Check Fee: \$ (\$21.00 per person listed on application)
Business Reg. Fee: \$150.00 Paid prior to Liquor Application? YES NO

TOTAL PAID WITH APPLICATION: \$ 200.00 Received by: [Signature]
(Town Clerk's Office)

DATE POSTED: _____ DATE HEARD: _____ APPROVED: _____ DENIED: _____

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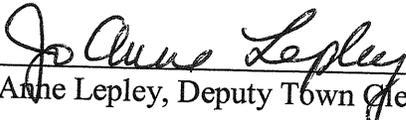
PUBLIC HEARING NOTICE

The Ogunquit Board of Selectmen will hold a Public Hearing on **Tuesday, September 19, 2017, at 6:00 pm** in the Auditorium of the Dunaway Community Center on School Street, to consider the recommendations of the Shellfish Conservation Commission relative to the anticipated opening of the clam flats for the 2017 -2018 season and to set the fees for the sale of clam licenses.

Season licenses will be available to Ogunquit residents/property taxpayers/Town employees and non-residents of Ogunquit who reside in State. Number of licenses sold is contingent on Shellfish Commission recommendations with final approval of the Select Board. While season licenses are not available to out-of-state residents, diggers can purchase a one-day dig license from the Warden on the clam flats.

Designated areas will be open every other weekend and holidays (tide permitting) through February 2018, and open every weekend thereafter through March 31, 2018, as recommended by the Shellfish Conservation Commission.

The opening of the Ogunquit Clam Flats is contingent upon approval from the Department of Marine Resources.


Jo Anne Lepley, Deputy Town Clerk

Posted:

September 12, 2017
Dunaway Community Center
Ogunquit Post Office
Ogunquit Transfer Station
WOGT

Paid Ad: YCC Star, Foster's Democrat

September 19, 2017

To: Ogunquit Select Board

From: Ogunquit Shellfish Committee

Subject: 2017-2018 OGUNQUIT CLAMMING SEASON

Shellfish Committee Members

Arthur Damren	Chairman/Warden
Craig Thiede	Warden
Everett Leach	Warden
Leonard Wyman	Committee Member
George Cundiff	Committee Member

1. The Ogunquit Shellfish Committee is requesting the Select Board to consider the following 2017-2018 Clamming Season proposal and approve.

2. The following schedule and allocation is based on a clam flat site survey conducted on September 8, 2017. Areas 1 & 2 continue to flourish since seeding in 2013 & 2014.

Clam Digging Schedule (Enclosure 1)

Opening date: November 10, 2017

Closing date: March 25, 2018

Total of 28 days

Map of proposed open areas (Enclosure 2)

Clam Flat Area: Foot Bridge to Beach Street Bridge

Divided into three areas

2017-2018	Area A & B	Open
	Area C	Closed

Clam License Allocations and Cost

	2017-2018		2016-2017	
Resident/Town Employees	80	\$35.00	80	\$35.00
Non-Resident	8	\$70.00	8	\$70.00
Resident (65 & older)	15	Free	15	Free
Non-Resident (65 & older)	2	Free	2	Free
One Day Permits (Each day)	20	\$15.00	12	\$15.00

License Sales

Licenses will be available in the Dunaway Community Center Recreation Room on November 1, 2017 and at the Town Clerk's Office starting on November 2, 2017 and will continue to be sold Monday-Friday 8:00 AM-4:00 PM. One Day Permits will be available for purchase from a Clam Warden starting one hour prior to low tide each day in the Foot Bridge Parking Lot during scheduled dig days.

2017-2018 Clamming Schedule (low tide)

Date			Time
10-Nov	Friday	Veteran's Day	9:47 AM
11-Nov	Saturday		10:56 AM
12-Nov	Sunday		12:05 PM
23-Nov	Thursday	Thanksgiving Day	7:50 AM
25-Nov	Saturday		9:22 AM
26-Nov	Sunday		10:14 AM

Date			Time
9-Dec	Saturday		9:31 AM
10-Dec	Sunday		10:37 AM
23-Dec	Saturday		8:03 AM
24-Dec	Sunday		8:48 AM
25-Dec	Monday	Christmas Day	9:37 AM

Date			Time
1-Jan	Monday	New Year's Day	4:20 PM
6-Jan	Saturday		8:11 AM
7-Jan	Sunday		9:11 AM
15-Jan	Monday	Birthday of MLK, Jr.	4:32 PM
20-Jan	Saturday		6:56 AM
21-Jan	Sunday		7:35 AM

Date			Time
3-Feb	Saturday		6:57 AM
4-Feb	Sunday		7:51 AM
10-Feb	Saturday		1:44 PM
11-Feb	Sunday		2:37 PM
19-Feb	Monday	President's Day	7:11 AM
24-Feb	Saturday		11:39 AM
25-Feb	Sunday		12:48 PM

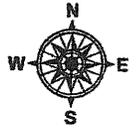
Date			Time
10-Mar	Saturday		12:01 PM
11-Mar	Sunday		2:02 PM
24-Mar	Saturday		11:18 AM
25-Mar	Sunday		12:25 PM



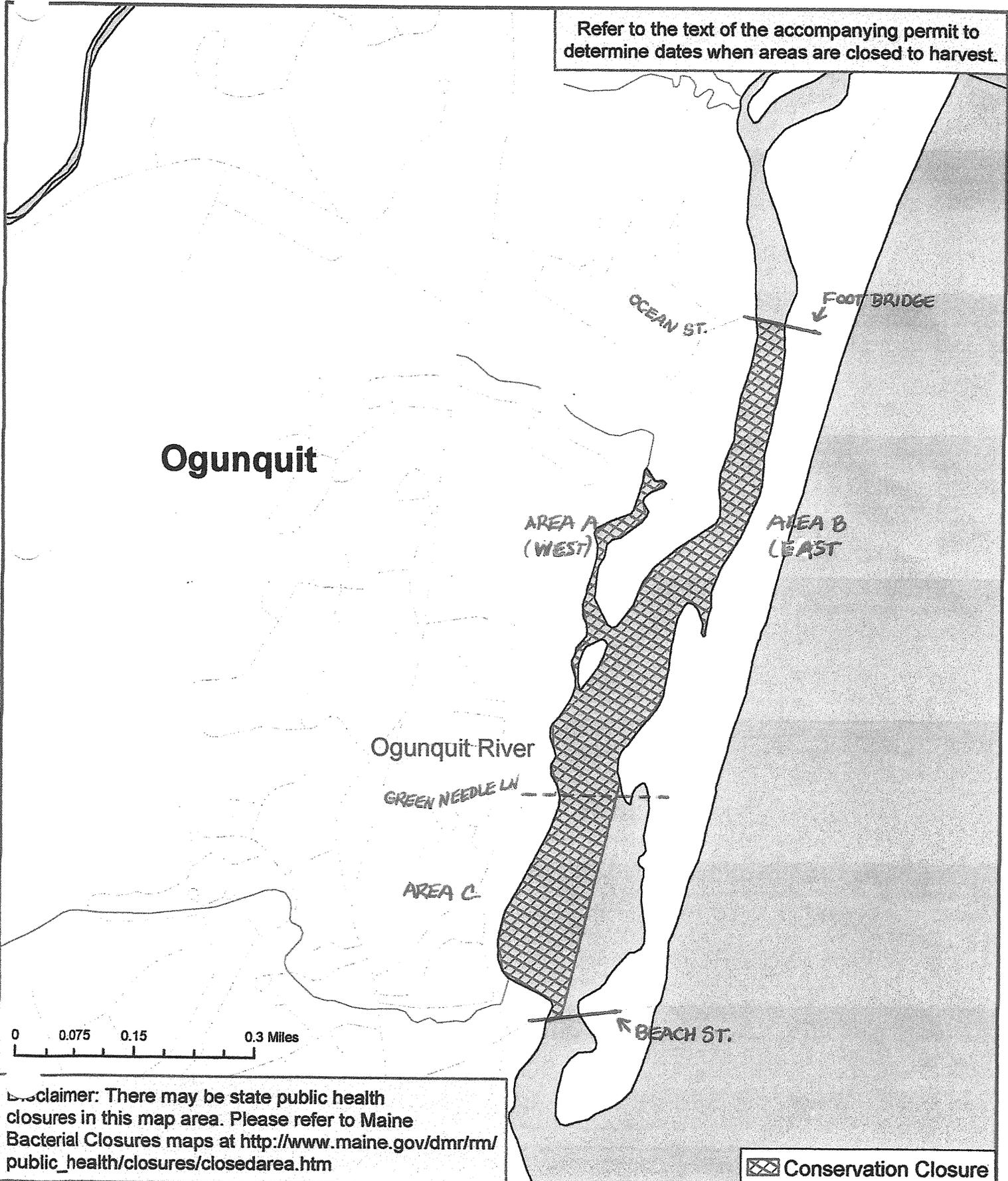
Maine Department of Marine Resources

Ogunquit

Municipal Conservation Closures



Refer to the text of the accompanying permit to determine dates when areas are closed to harvest.





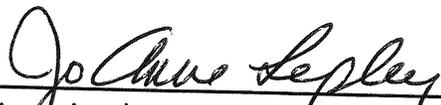
NOTICE OF PUBLIC HEARING

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00PM on Tuesday, September 19, 2017, in the Auditorium of the Dunaway Community Center, 23 School Street, to consider proposed amendments to be acted upon at the November 7, 2017 Special Town Meeting.

Copies of the proposed ordinances are on file in the Town Clerk's Office or on the Town's website (www.townofogunquit.org)

Amendments to the Ogunquit Zoning Ordinance Title X - Shoreland Zoning Standards (Section 9.15)

2017 Amendments to the Town of Ogunquit Zoning Ordinance (Title X) to Repeal Shoreland Zoning Provisions



Jo Anne Lepley, Deputy Town Clerk

Posted by: 

Patricia L. Arnaudin, Police Chief

Posted:	<u>September 12, 2017</u> Dunaway Community Center Ogunquit Post Office Ogunquit Transfer Station WOGT
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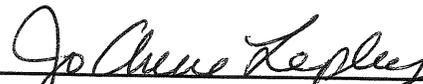
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Town of Ogunquit Notice of Public Hearing

The Ogunquit Select Board will hold a Public Hearing on **Tuesday, September 19, 2017 at 6:00 p.m.** to consider whether to continue to except from the operation of the time periods set forth in Section 3032 those proposed, unaccepted ways (also referred to as "paper streets") described on Exhibit A, attached hereto and incorporated herein.

If approved, this will extend for an additional period of twenty (20) years from the date of recording in the York County Registry of Deeds the time in which the ways described in Exhibit A will be excepted from the operation of Section 3032; provided, however, that nothing herein shall limit the right or authority vested by Maine law in the said Select Board or the Town to vacate or accept said proposed, unaccepted ways during said time period as otherwise provided by law.



Jo Anne Lepley, Deputy Town Clerk



Patricia Arnaudin, Police Chief

Posted: September 12, 2017
Ogunquit Town Office
Ogunquit Post Office
Ogunquit Transfer Station
WOGT

Exhibit A

1. **Cottage Street** - Approximately 100' westerly from end of existing road to Route One (25' width)
2. **Ledge Road Extension** - Approximately 230' westerly from existing Ledge Road to Park Lane (40' width)
3. **Maxwell Acres Road** - Approximately 330' easterly from Route One to existing road (30' width)
4. **Bayview Avenue Extension** - Approximately 275' from end of Bayview Avenue to marsh (remainder of 40' R.O.W.)
5. **Highland Avenue** - Approximately 1000' easterly from existing road to Glen Avenue (40' width)
6. **North Street** - 200 northerly of Berwick Road (40' width)
7. **Main Street** - 450' westerly of South Street (40' width)
8. **Coles Lane** - Approximately 50' easterly of existing road (40' width)
9. **Stonybrook Road** - Approximately 550' between Berwick Road and Grove Street (50')
10. **Spring Street** - Approximately 900' from Stonybrook Road northeasterly towards Berwick Road (50' width)
11. **Summit Street** - Approximately 600' between Grove Street and Stonybrook Road (30' Width)
12. **Seaview Avenue** - Approximately 300' between Spring Street and Cedar Avenue (30' width)
13. **Cedar Avenue** - Approximately 900' from Spring Street to Stonybrook Road (30')
14. Any other proposed, unaccepted and undeveloped ways described on recorded subdivision plans for land in Ogunquit.

To: Select Board
From: Pat Finnigan
Date: September 15, 2017

RE: Paper Streets

“Paper Streets” is the term used for those streets or ways shown on recorded subdivision plans that have never been built or accepted by the Town as a public way or street.

Over time these streets that are shown on a plan, but never built have caused a variety of real estate title and marketability problems. As a result, in 1987 the Maine Legislature passed the “Paper Streets Act” which provided that any paper street shown on a plan that was recorded prior to September 29, 1987 was automatically vacated (Town loses its rights to it) unless a road was constructed or it was used as a public way by September 29, 1997.

In 1997, the Legislature amended the Paper Streets law again, to allow municipalities to preserve their rights to retain the paper streets for 20 years if they voted to do so. That deadline is September 29, 2017. Municipalities may vote to extend their rights for another 20 years, provided they act before September 29, 2017.

That is why this issue is on your agenda. Staff is recommending that the Select Board vote to retain the Town’s rights in the paper streets for another 20 years (until September 29, 2037). This will preserve the Town’s interests in these proposed ways. Sometimes, property owners who abut paper streets approach the Town to acquire the land. If the Town chooses to do this, it can.

Although the Town has no specific plans to construct these streets, the Town should preserve its rights to them. If the Select Board does not vote to retain the paper streets and extend our rights until 2017, the Town loses its rights to them. **Staff recommends that the Select Board approve the proposed agenda item to extend the time to prevent automatic vacation of proposed but unaccepted ways (“Paper Streets”).**

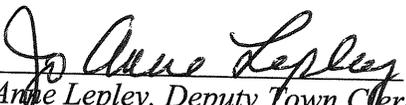
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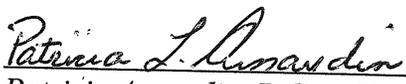
Beautiful Place by the Sea

TOWN OF OGUNQUIT

NOTICE OF PUBLIC HEARING

The Municipal Officers of the Town of Ogunquit will conduct a Public Hearing at 6:00 PM on Tuesday, September 19, 2017 in the Auditorium of the Dunaway Community Center, 23 School Street, for the purpose of an Informational Public Hearing on the proposed Warrant Articles for the November 7, 2017 Special Town Meeting.


Jo Anne Lepley, Deputy Town Clerk


Patricia Arnaudin, Police Chief

Posted: September 12, 2017
Dunaway Community Center
Ogunquit Post Office
Ogunquit Transfer Station
WOGT

**WARRANT
FOR THE
2017 SPECIAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: **PATRICIA L. ARNAUDIN**, Chief of Police of the Town of Ogunquit, in the County of York, State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center, 23 School Street in said Town of Ogunquit on **Tuesday, the seventh (7) day of November, 2017**, A.D. at eight o'clock in the morning (8:00 a.m.) until eight o'clock in the evening (8:00 p.m.) to vote by secret ballot on the following warrant articles; to wit:

Article 1: To elect a Moderator to preside at said Meeting. [**Note:** This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]

Article 2: Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 2, Wheeled Goods**” be enacted? (**Note:** Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 2 Wheeled Goods and Bicycles

201 Operation

201.1 A person shall not operate ¹any wheeled goods or bicycles ²in an unsafe and hazardous manner so as to endanger the operator or other people or property.

¹ Section 201.1 – ATM 6-9-2009

² Section 201.1 – STM – 11/3/2009

- 201.2** A person shall not operate ³any wheeled goods or bicycles ⁴so as to impede or hinder traffic.
- 201.3** A person operating ⁵any wheeled goods or bicycles shall ~~not~~ pass motor vehicles ~~unless the motor vehicles are stopped or nearly stopped, and the operator can pass the other vehicles safely.~~ safely at the person's discretion and own risk. Such passing shall may be to the left or right only while proceeding in the same direction as traffic. Passing a motor vehicle on the left shall only occur when: a) a line of motor vehicles are waiting to make a right-hand turn in the right lane; b) a motor vehicle is stopped in the right lane; and c) a bus is stopped in the right lane.
- 201.4** ~~A person shall not operate ⁶any wheeled goods on a sidewalk except that young children riding bicycles having wheels. No person shall propel a bicycle and/or a wheeled good on any sidewalk or within any sidewalk area except for children age 10 and under who are accompanied by an adult.~~
- 201.5** A person operating a wheeled good or bicycle upon a roadway at a speed less than normal speed of traffic moving in the same direction at that time and place shall operate on the right portion of the way as far as practicable except when it is unsafe to do so as determined by the operator of the wheeled good or:
- 201.5.1** When overtaking and passing another wheeled good operator or bicycle in the same direction;
- 201.5.2** When preparing to make a left turn at an intersection or into a private road or driveway;
- 201.5.3** When proceeding straight in a place where right turns are permitted; and
- 201.5.4** When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, wheeled goods, pedestrians, animals, broken pavement, glass, sand, puddles, ice, surface hazards or opening doors from parallel-parked vehicles, or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow

³ Section 201.2 – ATM 6-9-2009

⁴ Section 201.2 – STM – 11/3/2009

⁵ Section 201.3 – STM – 11/3/2009

⁶ Section 201.4 – STM – 11/3/2009

for a bicycle or roller skier and a vehicle to travel safely side by side in the lane.

201.6 Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this Town applicable to a driver of a vehicle, except as to special regulations in this chapter and except to those provisions of laws and ordinances which by their nature can have no applicability.

201.7 The operator of a wheeled good or bicycle emerging from an alley, driveway or curb shall, upon approaching a sidewalk of the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

201.8 No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars (of a bicycle).

204 Prohibitions

204.2 Children age 10 and under who are accompanied by an adult may ride a bicycle or other wheeled good on any sidewalk. Any person over the age of 12 shall not ride a bicycle or other wheeled good on any lawful sidewalk. Any person shall not ride a bicycle or other wheeled good on Marginal Way, on any private property without permission of the owner, on Ogunquit Beach from May 15 until September 15 of each year, or in a fashion which causes damage to any municipal property. A bicyclist is permitted to walk a bicycle over any grassy area, wooded trail, or any paved surface, including sidewalks, reserved for pedestrian use.

204.3 Any person convicted of a violation of this Ordinance shall be liable to a penalty of not more than twenty-five dollars (\$25) and may suffer in the sound discretion of the court forfeiture of his/her interest in the ⁷wheeled goods in question to the Town of Ogunquit for disposition in such manner as the court may direct.

⁷ Section 204.3 – STM – 11/3/2009

Article 3: Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 3, Pedestrian Ordinance**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE

Chapter 3 Pedestrian Ordinance

301 State Statutes to Apply

~~State statutes~~ Maine State Revised Statutes, Title 29-A regulating pedestrian movement shall apply to all streets in Ogunquit. Penalties provided by Maine State Revised Statutes, Title 29-A statutes shall also apply.

Article 4: Shall an ordinance entitled “**An Ordinance to Amend Title X, Article 7, Section 7.2.G, Land Use Controls – Retail Marijuana Prohibition**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

G. Retail Marijuana Prohibition

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, as either a principal use or an accessory use, are expressly prohibited in Ogunquit.

No person or organization shall develop or operate a business that engages in retail sales of marijuana or any retail marijuana-product, both as defined by 7 M.R.S.A. § 2442.

Article 5: Shall an Ordinance entitled “**Shoreland Zoning Ordinance**” be enacted as **Title XVIII of the Ogunquit Municipal Code**? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

[Copies of the proposed ordinance are available for review and inspection at the Town Clerk’s Office and on the Town’s website.]

Article 6: Shall an Ordinance entitled “**2017 Amendments to the Town of Ogunquit Zoning Ordinance to Repeal Shoreland Zoning Provisions**” be enacted?

[Copies of the proposed ordinance are available for review and inspection at the Town Clerk’s Office and on the Town’s website.]

Article 7: Shall the Town approve the transfer of the remaining balance of **\$1,404.66** from the 2013 Agamenticus Park CIP Project to the 2018 Tennis Court Repair CIP Project?

Select Board Recommendation:	\$1,404.66	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$1,404.66	Yes 4	No 0
		1 absent	

Article 8: Shall the Town approve the transfer of **\$19,016.85** from the Undesignated Fund Balance to cover a deficit in the General Government Department budget at FY 2017 year-end?

Select Board Recommendation:	\$19,016.85	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$19,016.85	Yes 4	No 0
		1 absent	

Article 9: Shall the Town approve the transfer of **\$39,929.22** from the Unemployment Fund to cover a deficit in the Accrued Liabilities Fund at FY 2017 year-end?

Select Board Recommendation:	\$39,929.22	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$39,929.22	Yes 4	No 0
		1 absent	

Article 10: Shall the Town approve the transfer of **\$93,825.25** from the Undesignated Fund Balance to cover a deficit in the US Department of Justice – Drug Enforcement Agency project budget at FY 2017 year-end?

Select Board Recommendation: \$93,825.25 Yes 4 No 0
1 absent

Budget Review Committee Recommendation: \$93,825.25 Yes 3 No 0
2 absent

Article 11: Shall the Town vote to approve use of additional **\$22,760.09** funds in the Ambulance Reserve Fund, and add an estimated **\$8,000** from the sale or trade-in of the current ambulance, to supplement the original appropriation of \$200,000 approved at the June 2017 Annual Town Meeting and the \$4,556.45 that was authorized by the Select Board at its September 5, 2017 meeting for the purchase of an ambulance for the Fire Department with any unexpended funds lapsing to the Ambulance Reserve account at year-end when the project is completed?

Select Board Recommendation: Yes 5 No 0
Budget Review Committee Recommendation: Yes 5 No 0

Article 12: Shall the Town approve the transfer of **\$150,000** from the Undesignated Fund Balance for structural engineering and design services for the Perkins Cove Footbridge Replacement?

Select Board Recommendation: \$150,000 Yes 5 No 0
Budget Review Committee Recommendation: \$150,000 Yes 4 No 1

Article 13: Shall the Town vote to approve the transfer of not to exceed **\$100,000** from the Undesignated Fund Balance to fund the engineering and architectural design of bathrooms at Main Beach, Footbridge Beach, and North Beach?

Select Board Recommendation: \$100,000 Yes 4 No 1
Budget Review Committee Recommendation: \$100,000 Yes 5 No 0

Given under our hands this **19th day of September 2017**, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

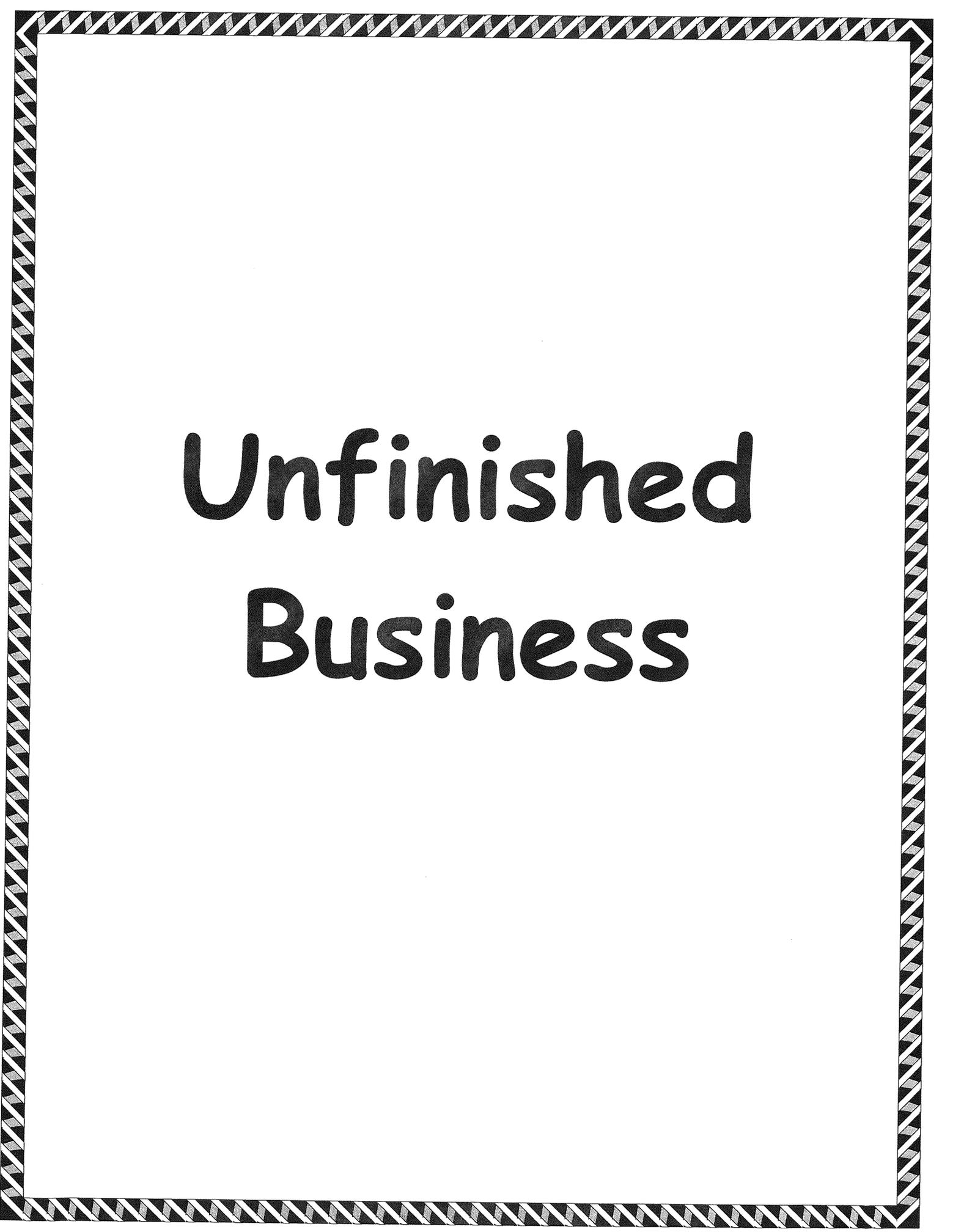
Madeline Mooney, Member

State of Maine
County of York, ss

A True Copy,
Attest:

Christine L. Murphy, Town Clerk
Town of Ogunquit, Maine

Dated: _____



Unfinished Business

OGUNQUIT

Beautiful Place by the Sea

To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

Shall an Ordinance entitled “**Shoreland Zoning Ordinance**” be enacted as **Title XVIII of the Ogunquit Municipal Code**?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 19, 2017

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk

OGUNQUIT

Beautiful Place by the Sea

To the Town Clerk of Ogunquit:

We hereby certify that the document to which we have affixed this Certificate is a true copy of the official text of an Ordinance entitled:

Shall an Ordinance entitled “**2017 Amendments to the Town of Ogunquit Zoning Ordinance to Repeal Shoreland Zoning Provisions**” be enacted?

This ordinance will be presented to voters by referendum ballot, for their consideration at the Special Town Meeting to be held on November 7, 2017.

Pursuant to 30-A, MRSA ss 3002(2), you will retain this copy of the complete text of the ordinance amendments as a public record and make other copies available for distribution to the voters, and you will ensure that these copies are available at the polling place on the day of the vote.

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

DATED: September 19, 2017

A True Copy,

Attest: _____
Christine L. Murphy, Town Clerk



New Business

OGUNQUIT

Beautiful Place by the Sea

TOWN OF OGUNQUIT SHELLFISH HARVESTER LICENSES

Clam licenses for the 2017 -2018 Season will go on sale on **Wednesday, November 1, 2017, at 8:00 AM** in the Recreation Room of the Dunaway Community Center for:

80	Resident/Property Tax Payer/ Town Employees	\$ 35.00
8	Non-Resident*	\$ 70.00
15	Resident/Seniors	\$COMP
2	Non-Resident/Senior*	\$COMP
20	One-Day Dig Permits**	\$15.00

Presentation of a driver's license will be required. **Applicants over 65 years of age are eligible for a complimentary license; however there is a limit of availability.**

Clam licenses may be purchased in the Town Clerk's Office [Monday-Friday, 8:00AM-4:00PM] or from the Clam Warden on the clam flats. **Purchase of a clam license does not guarantee harvesting of clams. Flats can be closed on Notice from the Department of Marine Resources.**

FIRST DAY OF DIGGING – November 10, 2017

DESIGNATED AREAS OPEN EVERY OTHER WEEKEND AND HOLIDAYS (Tide Permitting) THRU MARCH 31, 2018.

NO COMMERCIAL DIGGING LICENSES AVAILABLE

***Non-Resident of Ogunquit, but resident of State of Maine ONLY.**

****One-Day Dig Permit available to both in-State and out-of-State diggers and must be purchased the day of the dig on the clam flats.**

OGUNQUIT

Beautiful Place by the Sea

MUNICIPAL OFFICES
 SCHOOL STREET • P.O. BOX 875
 OGUNQUIT, MAINE 03907-0875
 (207) 646-5139 General Offices
 (207) 646-5140 Assessor
 (207) 646-9326 CEO

NOTICE

September 29, 1997

TOWN OF OGUNQUIT

The Municipal Officers of the Town of Ogunquit hereby excepts the following proposed, unaccepted ways, or portions of ways, from the operation of the time limitations of 3032(1) for a period of twenty (20) years from the date of this notice:

1. Cottage Street - Approximately 100' westerly from end of existing road to Route One (25' width).
2. Ledge Road Extension - Approximately 230' westerly from existing Ledge Road to Park Lane (40' width)
3. Maxwell Acres Road - Approximately 330' easterly from Route One to existing road (30' width).
4. Bayview Avenue Extension - Approximately 275' from end of Bayview Avenue to marsh (remainder of 40' R.O.W.)
5. Highland Avenue - Approximately 1000' easterly from existing road to Glen Avenue (40' width).
6. North Street - 200 northerly of Berwick Road (40' width).
7. Main Street - 450' westerly of South Street (40' width).
8. Coles Lane - Approximately 50' easterly of existing road (40' width).
9. Stonybrook Road - Approximately 550' between Berwick Road and Grove Street (50').
10. Spring Street - Approximately 900' from Stonybrook Road northeasterly towards Berwick Road (50' width).
11. Summit Street - Approximately 600' between Grove Street and Stonybrook Road (30' Width).
12. Seaview Avenue - Approximately 300' between Spring Street and Cedar Avenue (30' width).

NOTICE
September 29, 1997
PAGE 2

- 13. Cedar Avenue - Approximately 900' from Spring Street to Stonybrook Road (30').
- 14. Any other proposed, unaccepted and undeveloped ways described on recorded subdivision plans for land in Ogunquit.

John F. Miller
John F. Miller, Chairman

Robert G. Brown, Jr.
Robert G. Brown, Jr.

Larry A. Smith
Larry A. Smith

Ellen L. Tucceri
Ellen L. Tucceri

Charles G. Willing
Charles G. Willing

Attest:

A True Copy:

Judy Shaw-Kagiliery
Judy Shaw-Kagiliery, Town Clerk

RECEIVED YORK S.S.

1997 SEP 29 A 9:48

ATTEST: Louis M. Mues
REGISTER OF DEEDS

**NOTICE TO EXTEND TIME TO PREVENT AUTOMATIC VACATION OF
PROPOSED BUT UNACCEPTED WAYS (“PAPER STREETS”)
23 M.R.S.A. § 3032**

TAKE NOTICE, pursuant to 23 M.R.S.A. § 3032(2), that the Select Board of the Town of Ogunquit, acting as the Municipal Officers of said municipal corporation, in a public meeting duly called, have voted with a quorum present and voting, to except from the operation of the time periods set forth in Section 3032 those proposed, unaccepted ways (also referred to as “paper streets”) described on **Exhibit A**, attached hereto and incorporated herein.

This vote extends for an additional period of twenty (20) years from the date of recording in the York County Registry of Deeds of this written notice the time in which the ways described in **Exhibit A** will be excepted from the operation of Section 3032; provided, however, that nothing herein shall limit the right or authority vested by Maine law in the said Select Board or the Town to vacate or accept said proposed, unaccepted ways during said time period as otherwise provided by law.

Dated: September 19, 2017

TOWN OF OGUNQUIT, MAINE

By: _____
Charles Waite, III, Chair

By: _____
Robert Winn, Jr., Vice Chair

By: _____
John Daley

By: _____
Richard Dolliver

By: _____
Madeline Mooney

Its Select Board

STATE OF MAINE
YORK, ss.

_____, 2017

Then personally appeared the above named Charles Waite, III, Robert Winn, Jr., John Daley, Richard Dolliver and Madeline Mooney in his/her capacity as a member of the Select Board of the Town of Ogunquit and acknowledged the foregoing instrument to be his/her free act and the deed in his/her said capacity and the free act and deed of said Select Board of the Town of Ogunquit, Maine.

Before me,

Attorney at Law/Notary Public

Print name: _____

Exhibit A

1. **Cottage Street** - Approximately 100' westerly from end of existing road to Route One (25' width)
2. **Ledge Road Extension** - Approximately 230' westerly from existing Ledge Road to Park Lane (40' width)
3. **Maxwell Acres Road** - Approximately 330' easterly from Route One to existing road (30' width)
4. **Bayview Avenue Extension** - Approximately 275' from end of Bayview Avenue to marsh (remainder of 40' R.O.W.)
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9. **Seaview Avenue** - Approximately 300' between Spring Street and Cedar Avenue (30' width)
10. **Cedar Avenue** - Approximately 900' from Spring Street to Stonybrook Road (30')

STATE OF MAINE
COUNTY OF YORK, ss

ORDER FOR THE SPECIAL TOWN MEETING
&

Municipal Officers Certification of Official Text of Secret Ballot Referendum Questions

TO: Christine L. Murphy, Town Clerk

We, the undersigned municipal officers, hereby order that the following articles be placed on the ballot as questions to be presented to the voters at the Special Town Meeting to be held on **Tuesday, November 7, 2017**, A.D.; whereby said questions shall be presented to the voters for their consideration by secret ballot; to wit:

- Article 1:** To elect a Moderator to preside at said Meeting. [**Note:** This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]
- Article 2:** Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 2, Wheeled Goods**” be enacted?
- Article 3:** Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 3, Pedestrian Ordinance**” be enacted?
- Article 4:** Shall an ordinance entitled “**An Ordinance to Amend Title X, Article 7, Section 7.2.G, Land Use Controls – Retail Marijuana Prohibition**” be enacted?
- Article 5:** Shall an Ordinance entitled “**Shoreland Zoning Ordinance**” be enacted as **Title XVIII of the Ogunquit Municipal Code**?
- Article 6:** Shall an Ordinance entitled “**2017 Amendments to the Town of Ogunquit Zoning Ordinance to Repeal Shoreland Zoning Provisions**” be enacted?
- Article 7:** Shall the Town approve the transfer of the remaining balance of **\$1,404.66** from the 2013 Agamenticus Park CIP Project to the 2018 Tennis Court Repair CIP Project?
- Article 8:** Shall the Town approve the transfer of **\$19,016.85** from the Undesignated Fund Balance to cover a deficit in the General Government Department budget at FY 2017 year-end?
- Article 9:** Shall the Town approve the transfer of **\$39,929.22** from the Unemployment Fund to cover a deficit in the Accrued Liabilities Fund at FY 2017 year-end?

Article 10: Shall the Town approve the transfer of **\$93,825.25** from the Undesignated Fund Balance to cover a deficit in the US Department of Justice – Drug Enforcement Agency project budget at FY 2017 year-end?

Article 11: Shall the Town vote to approve use of additional **\$22,760.09** funds in the Ambulance Reserve Fund, and add an estimated **\$8,000** from the sale or trade-in of the current ambulance, to supplement the original appropriation of \$200,000 approved at the June 2017 Annual Town Meeting and the \$4,556.45 that was authorized by the Select Board at its September 5, 2017 meeting for the purchase of an ambulance for the Fire Department with any unexpended funds lapsing to the Ambulance Reserve account at year-end when the project is completed?

Article 12: Shall the Town approve the transfer of **\$150,000** from the Undesignated Fund Balance for structural engineering and design services for the Perkins Cove Footbridge Replacement?

Article 13: Shall the Town vote to approve the transfer of not to exceed **\$100,000** from the Undesignated Fund Balance to fund the engineering and architectural design of bathrooms at Main Beach, Footbridge Beach, and North Beach?

Given under our hands this **19th day of September 2017**, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

State of Maine
County of York, ss

A True Copy,
Attest:

Christine L. Murphy, Town Clerk
Town of Ogunquit, Maine

Dated: _____

**WARRANT
FOR THE
2017 SPECIAL TOWN MEETING
OF THE
TOWN OF OGUNQUIT**

TO: **PATRICIA L. ARNAUDIN**, Chief of Police of the Town of Ogunquit, in the County of York, State of Maine:

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Ogunquit in said county and state, qualified by law to vote in town affairs, to meet at the Dunaway Community Center, 23 School Street in said Town of Ogunquit on **Tuesday, the seventh (7) day of November, 2017**, A.D. at eight o'clock in the morning (8:00 a.m.) until eight o'clock in the evening (8:00 p.m.) to vote by secret ballot on the following warrant articles; to wit:

Article 1: To elect a Moderator to preside at said Meeting. [**Note:** This question is not intended to be acted upon as part of the official secret ballot at the Annual Town Meeting.]

Article 2: Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 2, Wheeled Goods**” be enacted? (**Note:** Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 2 Wheeled Goods and Bicycles

201 Operation

201.1 A person shall not operate ¹any wheeled goods or bicycles ²in an unsafe and hazardous manner so as to endanger the operator or other people or property.

¹ Section 201.1 – ATM 6-9-2009

² Section 201.1 – STM – 11/3/2009

- 201.2** A person shall not operate ³any wheeled goods or bicycles ⁴so as to impede or hinder traffic.
- 201.3** A person operating ⁵any wheeled goods or bicycles shall ~~not~~ pass motor vehicles ~~unless the motor vehicles are stopped or nearly stopped, and the operator can pass the other vehicles safely.~~ safely at the person's discretion and own risk. Such passing shall may be to the left or right only while proceeding in the same direction as traffic. Passing a motor vehicle on the left shall only occur when: a) a line of motor vehicles are waiting to make a right-hand turn in the right lane; b) a motor vehicle is stopped in the right lane; and c) a bus is stopped in the right lane.
- 201.4** A person shall not operate ⁶any wheeled goods on a sidewalk except that young children riding bicycles having wheels. No person shall propel a bicycle and/or a wheeled good on any sidewalk or within any sidewalk area except for children age 10 and under who are accompanied by an adult.
- 201.5** A person operating a wheeled good or bicycle upon a roadway at a speed less than normal speed of traffic moving in the same direction at that time and place shall operate on the right portion of the way as far as practicable except when it is unsafe to do so as determined by the operator of the wheeled good or:
- 201.5.1** When overtaking and passing another wheeled good operator or bicycle in the same direction;
- 201.5.2** When preparing to make a left turn at an intersection or into a private road or driveway;
- 201.5.3** When proceeding straight in a place where right turns are permitted; and
- 201.5.4** When necessary to avoid hazardous conditions, including, but not limited to, fixed or moving objects, vehicles, bicycles, wheeled goods, pedestrians, animals, broken pavement, glass, sand, puddles, ice, surface hazards or opening doors from parallel-parked vehicles, or a lane of substandard width that makes it unsafe to continue along the right portion of the way. For purposes of this paragraph, "lane of substandard width" means a lane that is too narrow

³ Section 201.2 – ATM 6-9-2009

⁴ Section 201.2 – STM – 11/3/2009

⁵ Section 201.3 – STM – 11/3/2009

⁶ Section 201.4 – STM – 11/3/2009

for a bicycle or roller skier and a vehicle to travel safely side by side in the lane.

201.6 Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this Town applicable to a driver of a vehicle, except as to special regulations in this chapter and except to those provisions of laws and ordinances which by their nature can have no applicability.

201.7 The operator of a wheeled good or bicycle emerging from an alley, driveway or curb shall, upon approaching a sidewalk of the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on such roadway.

201.8 No person operating a bicycle shall carry any package, bundle or article which prevents the operator from keeping at least one hand upon the handlebars (of a bicycle).

204 Prohibitions

204.2 Children age 10 and under who are accompanied by an adult may ride a bicycle or other wheeled good on any sidewalk. Any person over the age of 12 shall not ride a bicycle or other wheeled good on any lawful sidewalk. Any person shall not ride a bicycle or other wheeled good on Marginal Way, on any private property without permission of the owner, on Ogunquit Beach from May 15 until September 15 of each year, or in a fashion which causes damage to any municipal property. A bicyclist is permitted to walk a bicycle over any grassy area, wooded trail, or any paved surface, including sidewalks, reserved for pedestrian use.

204.3 Any person convicted of a violation of this Ordinance shall be liable to a penalty of not more than twenty-five dollars (\$25) and may suffer in the sound discretion of the court forfeiture of his/her interest in the ⁷wheeled goods in question to the Town of Ogunquit for disposition in such manner as the court may direct.

⁷ Section 204.3 – STM – 11/3/2009

Article 3: Shall an ordinance entitled “**An Ordinance to Amend Title VI of the Ogunquit Municipal Code, Bicycles and Other Wheeled Goods and Pedestrian Ordinance, Chapter 3, Pedestrian Ordinance**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

**TITLE VI
BICYCLES AND OTHER WHEELED GOODS
AND
PEDESTRIAN ORDINANCE**

Chapter 3 Pedestrian Ordinance

301 State Statutes to Apply

~~State statutes~~ Maine State Revised Statutes, Title 29-A regulating pedestrian movement shall apply to all streets in Ogunquit. Penalties provided by Maine State Revised Statutes, Title 29-A ~~statutes~~ shall also apply.

Article 4: Shall an ordinance entitled “**An Ordinance to Amend Title X, Article 7, Section 7.2.G, Land Use Controls – Retail Marijuana Prohibition**” be enacted? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

G. Retail Marijuana Prohibition

For purposes of this ordinance, retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, and retail marijuana social clubs are defined as set forth in 7 M.R.S.A. § 2442.

Retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, and retail marijuana testing facilities, and retail marijuana social clubs, as either a principal use or an accessory use, are expressly prohibited in Ogunquit.

No person or organization shall develop or operate a business that engages in retail sales of marijuana or any retail marijuana-product, both as defined by 7 M.R.S.A. § 2442.

Article 5: Shall an Ordinance entitled “**Shoreland Zoning Ordinance**” be enacted as **Title XVIII of the Ogunquit Municipal Code**? (Note: Language proposed to be inserted is indicated by underlining. Language proposed to be removed is indicated by a ~~strikeout line~~. All other portions of the ordinance are proposed to remain unchanged. The symbol “*****” indicates that a portion of the ordinance, which is not proposed to be changed, is not shown below, in order to save space.)

[Copies of the proposed ordinance are available for review and inspection at the Town Clerk’s Office and on the Town’s website.]

Article 6: Shall an Ordinance entitled “**2017 Amendments to the Town of Ogunquit Zoning Ordinance to Repeal Shoreland Zoning Provisions**” be enacted?

[Copies of the proposed ordinance are available for review and inspection at the Town Clerk’s Office and on the Town’s website.]

Article 7: Shall the Town approve the transfer of the remaining balance of **\$1,404.66** from the 2013 Agamenticus Park CIP Project to the 2018 Tennis Court Repair CIP Project?

Select Board Recommendation:	\$1,404.66	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$1,404.66	Yes 4	No 0
		1 absent	

Article 8: Shall the Town approve the transfer of **\$19,016.85** from the Undesignated Fund Balance to cover a deficit in the General Government Department budget at FY 2017 year-end?

Select Board Recommendation:	\$19,016.85	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$19,016.85	Yes 4	No 0
		1 absent	

Article 9: Shall the Town approve the transfer of **\$39,929.22** from the Unemployment Fund to cover a deficit in the Accrued Liabilities Fund at FY 2017 year-end?

Select Board Recommendation:	\$39,929.22	Yes 4	No 0
		1 absent	
Budget Review Committee Recommendation:	\$39,929.22	Yes 4	No 0
		1 absent	

Article 10: Shall the Town approve the transfer of **\$93,825.25** from the Undesignated Fund Balance to cover a deficit in the US Department of Justice – Drug Enforcement Agency project budget at FY 2017 year-end?

Select Board Recommendation: \$93,825.25 Yes 4 No 0
1 absent

Budget Review Committee Recommendation: \$93,825.25 Yes 3 No 0
2 absent

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Select Board Recommendation: Yes 5 No 0

Budget Review Committee Recommendation: Yes 5 No 0

Article 12: Shall the Town approve the transfer of **\$150,000** from the Undesignated Fund Balance for structural engineering and design services for the Perkins Cove Footbridge Replacement?

Select Board Recommendation: \$150,000 Yes 5 No 0

Budget Review Committee Recommendation: \$150,000 Yes 4 No 1

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Select Board Recommendation: \$100,000 Yes 4 No 1

Budget Review Committee Recommendation: \$100,000 Yes 5 No 0

Given under our hands this **19th day of September 2017**, A.D. in Ogunquit, Maine, by the Select Board, acting in their capacity as the Municipal Officers:

OGUNQUIT SELECT BOARD

Charles Waite, III, Chair

Robert Winn, Jr., Vice Chair

John Daley, Member

Richard Dolliver, Member

Madeline Mooney, Member

State of Maine
County of York, ss

A True Copy,
Attest:

Christine L. Murphy, Town Clerk
Town of Ogunquit, Maine

Dated:_____

To: Patricia Finnigan, Town Manager
Ogunquit Select Board

Date: September 14, 2017

Re: Ogunquit Public Works New Wing Truck 9/19/2017

We have gone over all the bids that we received, there were a lot of them. When we put the bids out we opened it up to automatic and standard transmission trucks. Mostly because we weren't sure how many standard transmission trucks would be available without being custom built.

When all the bids came back we had one truck that came back equipped with a standard transmission. You may ask why we would prefer a standard transmission and the simple reason is durability. With an automatic transmission especially in a big truck there are a lot of extra wires and sensors and computers that can fail in that transmission. The last wing truck we had that was an automatic had lots of computer problems related to the transmission which caused a lot of down time for the truck. I think the standard transmission is a good choice for us in this truck for fewer problems and for better productivity.

The truck we recommend going with is a 2018 Freightliner 114SD it has a 410HP engine and an 8LL standard transmission. It has a dual rear axle setup and a 14 yard dump body capacity. This truck is setup and ready to go, it is a demo so it has 680 miles on it. We had it brought down to our shop and we drove it around and down some of the small streets in town. The truck performed well in all tasks that we put it through. We were quoted around ten trucks to choose from only four trucks were built and ready to go, the rest were around 200 days out for completion. This truck was the only standard transmission truck and met all of our requirements.

With this particular truck being a tandem axle truck we will now be able to remove snow from all around town ourselves instead of hiring it out. The past two years we have spent around \$75K with hiring companies to come in and help us remove snow. With this truck we will handle that all in house and save that money in our contracted services line in the budget. Also during projects in the summer, spring and fall we do things like ditch work or replacing catch basins and culverts under roads. In the past we have had to hire trucks to bring us in loads of gravel and other material because it would take us so long in our smaller trucks to get the same amount you would in this truck.

Every year we have to hire trucks to bring in gravel for the Marginal Way and sand for our winter months. With this truck we can do all of that ourselves, a great savings to the tax payers and to our budget. We also won't be at the mercy of the companies to when we can get material or haul snow off, cutting the time to complete jobs way down.

This truck will be used all year long in different projects and for different purposes. The size of the truck versus the size of our roads is not an issue. Like what was said before, we drove the truck down some of our smallest streets and it worked wonderfully. I will be at the meeting on Tuesday so any questions you have don't hesitate to bring up.

Thank you for your time.

Jason Hall, Public Works Mechanic
Steve Shepard, Public Works Supervisor

FREIGHTLINER OF MAINE DEMO
W VIKING CUES EQUIPMENT
TOWN OF OGUNQUIT
BID FORM

DEMO ON GROUND

The undersigned, having carefully read the bid specifications, hereby propose and agree to furnish as follows:

Public Works Wing Truck

Bid \$ 174,640.00

Signed: 
Printed Name: BRIAN HALLOWELL
Title: EQ SALES
Firm: FREIGHTLINER OF MAINE INC
Address: 10 TERMINAL ST
WESTBROOK ME
Date: 8/21/2017
Phone # 207 591 1975 X700 Fax# 207 591 1981
E-mail BHALLOWELL@FLMAINE.COM FID _____

REQUEST FOR PROPOSALS

NOTICE OF INVITATION TO BID

The Town of Ogunquit Maine will receive sealed bids for the purchase of a new Public Works Wing Truck.

The following are minimum vehicle specifications (please check Y or N for compliancy):

Yes	No	
_____	✓	2016, 2017 or 2018 Western Star 4700SF
✓	_____	(Please note if Demo) FREIGHTLINER DEMO
_____	_____	Minimum of 350HP
✓	X	Auto Shift
_____	_____	Standard Shift
_____	✓	10 Ft. Side Dump - Steel (Maximum 13 Ft.) 14'
_____	X	10 Ft. Side Dump - Stainless Steel (Maximum 13 Ft.)
✓	_____	11 Ft. Fixed Blade Plow on Quick-Switch Setup
✓	_____	11 Ft. Wing with Shelf Hydraulics
✓	_____	20,000 lb. Front Axle
✓	_____	26,000 lb. Rear Axle (Single or <u>Tandem</u>) 46K
✓	_____	Mirrors - Power & Heated
✓	_____	Rear Differential Lock
✓	_____	Engine Brake
✓	_____	Power Windows
✓	_____	Heated Windshield
✓	_____	Hood Access Covers over Engine
✓	_____	Electric Trap over Dump Body
✓	_____	Strobe Warning Light Kit
✓	_____	Back Up Alarm
✓	_____	25 Ton Pintle Hitch with 7-Point Harness Plug
✓	_____	Drivers Seat Air Ride
✓	X	Minimum of 80 Gallon Fuel Tank 70 GAL
✓	_____	Grab Handles on Side of Cab; Drivers & Passengers Side
✓	_____	Cab Sun Visor
✓	_____	Fire Extinguisher and Triangle Kit in Cab
_____	X	AM/FM Radio with Bluetooth NO BLUE TOOTH
_____	✓	Spare Tire & Wheel WHAT WHEELS

Sealed bids, in envelopes plainly marked "Public Works Wing Truck" and addressed to Ogunquit Town Manager, PO Box 875, Ogunquit, Maine 03907 will be received in the Town









Maine Municipal
Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

MEMORANDUM

TO: Key Municipal Officials of MMA Member Cities, Towns and Plantations

FROM: Stephen W. Gove, Executive Director

DATE: September 1, 2017

SUBJECT: Voting Credentials for MMA Annual Business Meeting

The Maine Municipal Association Annual Business Meeting is being held in conjunction with the MMA Annual Convention and will take place on **Wednesday, October 4, 2017, at 1:30 p.m. in the Cumberland Room at the Augusta Civic Center.** The MMA Bylaws entitle each member community to one (1) voting representative.

Enclosed please find the ***MMA Voting Delegates Credential Form*** on which the municipal officers may designate their municipality's voting representative and alternate. We have also attached the Proposed Agenda for the MMA Annual Business Meeting for your reference. The current MMA Bylaws as adopted in 2013 will be available at the MMA Annual Business Meeting or may be viewed on the MMA website at:

<http://www.memun.org/public/MMA/Gov/bylaws.pdf>.

Please note that the MMA Executive Committee is not putting forth any proposed amendments to the MMA bylaws for this year. If you plan to be at the MMA Annual Convention and would like to have a Voting Delegate represent your municipality, please complete the MMA Voting Delegate Credential Form and return to our office by **Tuesday, October 3, 2017** or bring it with you to the MMA Annual Business Meeting. We have provided a self-addressed, self-stamped envelope for your convenience.

We look forward to seeing you at this year's 81st MMA Annual Convention at the Augusta Civic Center. We have a great line up of speakers, workshops and networking opportunities at this year's convention. If you have any questions on this information, please contact Theresa Chavarie at 1-800-452-8786 ext. 2211 or in the Augusta area at 623-8428.

**Maine Municipal Association
Annual Business Meeting
Wednesday, October 4, 2017
1:30 – 2:15 p.m.
Augusta Civic Center, Augusta, Maine
Cumberland Room**

PROPOSED AGENDA

1. **Introductions and Welcoming Remarks** – MMA President Laurie Smith
(Town Manager, Kennebunkport)
2. **Approval of 2016 MMA Annual Business Meeting Minutes** – Laurie Smith
3. **Introduction of New Executive Committee Members** – Laurie Smith
4. **MMA President's Report** – Laurie Smith
5. **Executive Director's Report** – Stephen Gove, MMA Executive Director
6. **Other Business** (*comments from the floor*)
7. **Adjournment**

**MAINE MUNICIPAL ASSOCIATION
VOTING DELEGATE CREDENTIALS**

_____ is hereby designated as the official Voting Delegate and
(name)
_____ as the alternate voting delegate for _____
(name) (municipality)
to the Maine Municipal Association Annual Business Meeting which is scheduled to be held,
Wednesday, October 4, 2017, 1:30 p.m., at the Augusta Civic Center, Augusta, Maine.

The Voting Delegate Credentials may be cast by a majority of the municipal officers, or a municipal official designated by a majority of the municipal officers of each Municipal member.

Date: _____ Municipality: _____

Signed by a Municipal Official designated by a majority of Municipal Officers:

Name: _____ Position: _____

Or Signed by a Majority of Municipal Officers:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please return this form no later than **Tuesday, October 3, 2017** or bring it with you to the MMA Annual Business Meeting. If mailing, send to:

**MMA Annual Business Meeting
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330
FAX: 207-626-3358**

MEMO

To: Ogunquit Select Board
Town Manager Patricia Finnigan

Date: September 15, 2017

Re: Web Site Upgrade

I have evaluated the following three bidders for our web site upgrade and the equitable cost:

WebLinx	\$13,500
GovOffice	\$9,465 (current provider)
CivicPlus	\$33,740

Considering all items under consideration, I recommend using *GovOffice* to re-build our website. They have excellent service response and provide the best flexibility to meet our requirements

Jordan Freedman
Information Services Director
Town of Ogunquit
(207) 361-8561

GOV OFFICE

Service & License Agreement for Town of Ogunquit, Maine

Client: Town of Ogunquit, Maine
Address: P.O. Box 875
City, State, Zip: Ogunquit, ME 03907
Phone: 207-646-5139
Fax: 207-646-5920

Site Administrator: Jordan Freedman
Phone: 207-361-8561
Email: wogt@townofogunquit.org

GovOffice Web Solutions, a Division of Avenet LLC
2112 Broadway Street NE, Suite 250
Minneapolis, Minnesota 55413
612-617-5700 phone
612-617-5701 fax
Avenet LLC Federal Tax ID: 41-1940025

avenet.net
govoffice.com
help.govoffice.com

Terms & Conditions

This Agreement, dated August 10, 2017 ("Effective Date"), is by and between Avenet LLC, d/b/a GovOffice ("GovOffice") and the Town of Ogunquit, Maine ("Client"). The term of this Agreement begins on the Effective Date and may renew the Agreement per the Agreement Renewal terms below.

GovOffice Deliverables

1. GovOffice will deploy a website for Client that includes all functionality and services as defined in Exhibit A—GovOffice Project Deliverables, attached hereto.

Additional Services

2. Client may contract at any time with GovOffice for additional Consulting, Website Design, Setup, Programming, and Training services (Project Development Services) that exceed those defined in Exhibit A. GovOffice will separately invoice Client for the additional services. Services or Modules that incur additional usage fees may be purchased and activated at any time.

Billing & Payment Terms

3. Upon execution of this agreement, GovOffice will provide an invoice for **first year fees of \$3155**, which will be due within 30 days of receipt. Design and/or content services begin upon receipt of initial payment.
4. **Year 2 and Year 3 Annual Fees of \$3155** for GovOffice services as described in Exhibit A are invoiced prior to the next year of service and are due within 30 days or upon the annual anniversary date, whichever is later.

By initialing you acknowledge that you have read, understand, and agree to the contents of this page. _____

- 5. After site launch, if the Client's account exceeds 90 days past due, Support, Maintenance & Hosting may be discontinued until the Client's account is made current. Client will be given 30 day notice prior to discontinuation of services for non-payment.

Agreement Renewal

- 6. Client may renew this agreement for an additional 3 year period at the same rate as quoted herein and is eligible to receive again all deliverables as presented in Exhibit A with said renewal.
- 7. Either party may terminate the Annual Support, Maintenance & Hosting Agreement at the end of the contract term by providing the other party with 60 days written notice, prior to the contract renewal date.
- 8. In the event that neither party gives 60 day notice prior to the end of the initial or any subsequent term, this Agreement will automatically renew for an additional contract term. GovOffice agrees to provide 1 renewal with the same level of services and the same contract term of 3 years at the same rate and payment schedule as this agreement, including a repeat of services at the same or comparable level of service as that described in Exhibit A.
- 9. Client may terminate this agreement prior to the completed three (3) year term by providing written notice to GovOffice and by providing full payment for the entire remaining balance of the total dollar value of this agreement within 30 days of termination.

Additional Terms & Conditions

- 10. Client is subscribing to and licensing the GovOffice Content Management System (CMS) to construct, manage and maintain its website and related online services and agrees to the further Terms & Conditions as published at www.govoffice.com/terms.
- 11. GovOffice strives to complete all activities surrounding a Client's implementation (online training, custom graphic Web design, etc.) as efficiently as possible, but we do not guarantee the deployment (go-live) of the website by or on any date.

Acceptance

We, the undersigned, agreeing to the conditions specified in this document, understand and authorize the provision of services outlined in this Agreement.

By _____ Client (Printed)

By _____ Client (Signed) Date _____

By _____ GovOffice (Printed)

By _____ GovOffice (Signed) Date _____

By initialing you acknowledge that you have read, understand, and agree to the contents of this page. _____

Exhibit A: GovOffice Project Deliverables

Year 1 Payment = \$3155

Year 2 Payment = \$3155

Year 3 Payment = \$3155

Total Value of Agreement = \$9465

Service & Maintenance

- Use of GovOffice Content Management System (CMS) software,
- Unlimited bandwidth & Website hosting up to 2 GB of uploads,
- Unlimited toll-free technical support for staff,
- Online training/ re-training of GovOffice CMS software for staff,
- Access to Help.GovOffice.com website; includes CMS video tutorial library
- Daily backups of stored website content and design files,
- Maintenance of Web servers and their installed security systems,
- 24/7/365 editing for unlimited regular administrative users and Superusers,
- Secure SSL (Secure Sockets Layer) administrative website,
- Upgrades of GovOffice CMS (no downloads necessary),
- GovOffice Mobile for optimal website display on smartphones

GovOffice Version 3.3 Content Management System (CMS)

- Ability to limit access and administrative permissions to each user on the system
- Preview feature that shows how an unsaved edit would appear if saved and activated on the live site
- Live Site feature allows users to switch between the live and administrative websites within one browser window
- Data storage tracker to help manage your load of Web content
- Audit log that shows editing activity of all administrative users
- Flexibility to name and order all navigation menu buttons
- Import, type, and format text
- Create unlimited number of links to internal pages and external websites
- Upload, resize, position, and caption photos
- Online forms for questions, comments, and requests to be contacted by staff
- Post audio and video files
- Upload and name documents, such as Agendas & Minutes and newsletters
- Schedule of events, including recurring events, within a true calendar display
- Online opinion polls with controlled responses and option to display the results
- Image gallery to create a Community Photo Album; includes slideshow capability
- Ability to add, turn on & off, and remove sidebars from all pages
- Directory, including contact information and photos, of Elected Officials and staff
- Post news stories with a pre-set release date for automatic display on the live website
- Display job listings with post & deadline dates and post the employment application

By initialing you acknowledge that you have read, understand, and agree to the contents of this page. _____

- List Frequently Asked Questions by department or the entire organization
- Related links to associated websites without posting long URLs
- Directory of local attractions and links to an online map
- Site Map for added ease by site visitors in locating a desired section of the website
- Last Edit stamp that shows the date on which any Web page was last updated
- Printer-Friendly option and some flexibility in the placement of the prompt
- Search engine that also searches keywords within uploaded documents
- Option for advanced users to switch to HTML mode for editing
- Intranet capability for staff only areas of the website; accessed only by username and password
- Bulk e-mail tool that allows visitors to opt-in/ opt-out of receiving e-mail notifications from your government office
- RSS feeds in from other news-related websites
- Friendly URLs for all sections and sub-sections site-wide

Responsive Website Design

All creative and programming customizations for the Client will be based on the GovOffice Responsive framework and may include:

- Official logo and a unique color scheme that fully matches the Client's branding
- Custom font treatment for title graphic and slogan field
- Custom font treatment (may be Google Fonts) for section titles, promotion titles, and sidebar titles throughout the website
- Full set of social media icons (Facebook, Google+, Twitter, Pinterest, LinkedIn, YouTube, Blogger, Flickr)
- Favicon (favorites icon), if requested and if possible

Customizations will not be made to the following: function of the standard rollover/ drop down navigation menu system, the style or function of Search, or the style of the standard Facebook and Twitter icons (optional to use).

Auto Image Slider

The Auto Image Slider will be programmed to appear on the homepage only.

The Auto Image Slider will support up to 5 images uploaded by the Client on its administrative website. Images must be correctly sized according to specifications (to be determined; will be communicated by GovOffice to the Client) in order to display optimally within the Auto Image Slider.

Enhanced Film Strip

The Enhanced Film Strip will be styled and programmed to appear on the homepage only of the Responsive design and include development of up to 10 Quick Links Icons.

The Icons will be uploaded to the Film Strip by GovOffice by way of the Homepage Setup (see page 6). Each Icon may be linked to any interior page or to any external Web page and may be activated/ deactivated as the Client wishes.

Local Weather Integration

The Local Weather Integration feature is a feed from the National Weather Service website at weather.gov. The linked display will show the current temperature and weather condition and be programmed to appear in the header of each page.

On tablets and smartphones the screen will be shrunk, and the desktop navigation menu will switch to a mobile menu (☰). At that point the weather feed will move from the header area of the website to the navigation menu.

Notifications Banner

The Client's design will be programmed to include a Notifications Banner for the purpose of communicating Alerts, Announcements, Reminders, etc. The banner will appear atop the homepage header and be activated only if a notification has been created and turned on in the Administrative website.

The banner itself will be a solid bar that sports one color. Alerts may be a line of text (either hyperlinked or not), and while there is no limit to the number of Alerts posted at a time, it is suggested that the number of active Alerts be kept to a minimum in the interest of usability by website visitors.

Process of Responsive Design, Auto Image Slider, Enhanced Film Strip, Local Weather Integration, Notifications Banner

This project will be a 3 draft, 3 revision process whereby the GovOffice Design Team will create up to three drafts that reflect the goals and objectives shared by the Client during the initial interview. When ready, the drafts will be submitted to the Client for evaluation. Upon selection of the preferred draft (1 out of the 3) by the Client, GovOffice will further develop it with up to three rounds of revision before asking for final approval.

Complete Navigation Analysis & Restructure

Content professionals will analyze the entire site navigation menu and then organize and label up to 200 pages according to best practices of usability and information architecture for professional, Responsive website designs.

First the Client will be asked to purge any dated section, sub-section, and content such as text, uploaded images, items, sidebars, and related links from the website in order to streamline the project. Then the entire navigation menu of the Client's current, live website will be analyzed.

Next a test site with a proposed navigation restructure mock-up will be created and shared with the Client. The Client will be encouraged to submit feedback after the initial mockup, and GovOffice will subsequently make revisions. These exchanges will continue until the navigation menu on the test site meets the Client's approval. Upon approval, the navigation menu restructure as shown on the test site will be built on the live website.

Homepage Setup

GovOffice content professionals will assemble and organize the Client's current homepage content to conform to its Responsive design. The Homepage Setup includes:

- Formatting welcome text, as necessary
- Displaying news, events, calendars, etc. Promotions in a visually appealing way
- Using Sidebars to display related links, text, and images
- Uploading and arranging up to 5 images within the Auto Image Slider (see page 4)
- Uploading and arranging the Quick Links Icons within the Enhanced Film Strip (see page 4)