

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
WEDNESDAY, NOVEMBER 8, 2017

COMMITTEE WORKSHOP

- 5:00PM Marginal Way Committee - Paul Breen, Chair
- 5:30PM Parks & Recreation Committee - Michelle Low, Chair

1.0 CALL TO ORDER: 6:00PM

1.1 Roll Call of Members

1.2 Pledge of Allegiance

1.3 Select Board Minutes - October 17, 2017

2.0 TOWN MANAGER'S REPORT

3.0 COMMITTEE APPOINTMENTS & RESIGNATIONS - None

4.0 PRESENTATIONS, PROCLAMATIONS & RESOLUTIONS

4.1 Ogunquit Beach Lobster Dash Donation - Charlie Farrington
Presentation of a Donation from the 2017 Lobster Dash

4.2 Biological Control for the Invasive Black Swallow-wort Vine on the Marginal Way
- Joan Griswold, Marginal Way Co-Chair

5.0 PUBLIC HEARINGS

5.1 Jonathan's - Malt, Spirituous & Vinous Liquor License Application Renewal

5.2 Jonathan's - Amusement License Application Renewal

6.0 UNFINISHED BUSINESS - None

7.0 NEW BUSINESS

7.1 Application for Pole Locations - Northern New England Telephone Operations LLC and Central Maine Power; Placement of New Pole on Captain Thomas Road

7.2 Issue an RFP to Obtain Professional Services to Provide a Design, Building Cost Estimate and Other Associated Costs to Re-purpose the Ogunquit Village School as Approved at the 2017 Annual Town Meeting

Authorize the Town Manager to proceed with securing professional services regarding the re-purposing of the Ogunquit Village School as approved by the voters in June 2017.

7.3 Town Attorney Selection Process

Discussion of selection criteria and process to select the Town Attorney/law firm.

7.4 Capital Improvement Plan Policy

Discussion of a Capital Improvement Policy regarding the annual capital project budget and a 5-year Capital Improvement Plan.

7.5 Appointment of Select Board Liaisons to Town Committees

- A. Conservation Commission: Madeline Mooney
- B. Historic Preservation Commission: Madeline Mooney
- C. Parks & Recreation Committee : Charles Waite
- D. Performing Arts Committee: Charles Waite

7.6 Set dates for Select Board Meetings and Workshops calendar

Nov. 14: Workshop with Committees

Dec. 5: Select Board Meeting

Jan. 2 Select Board Meeting

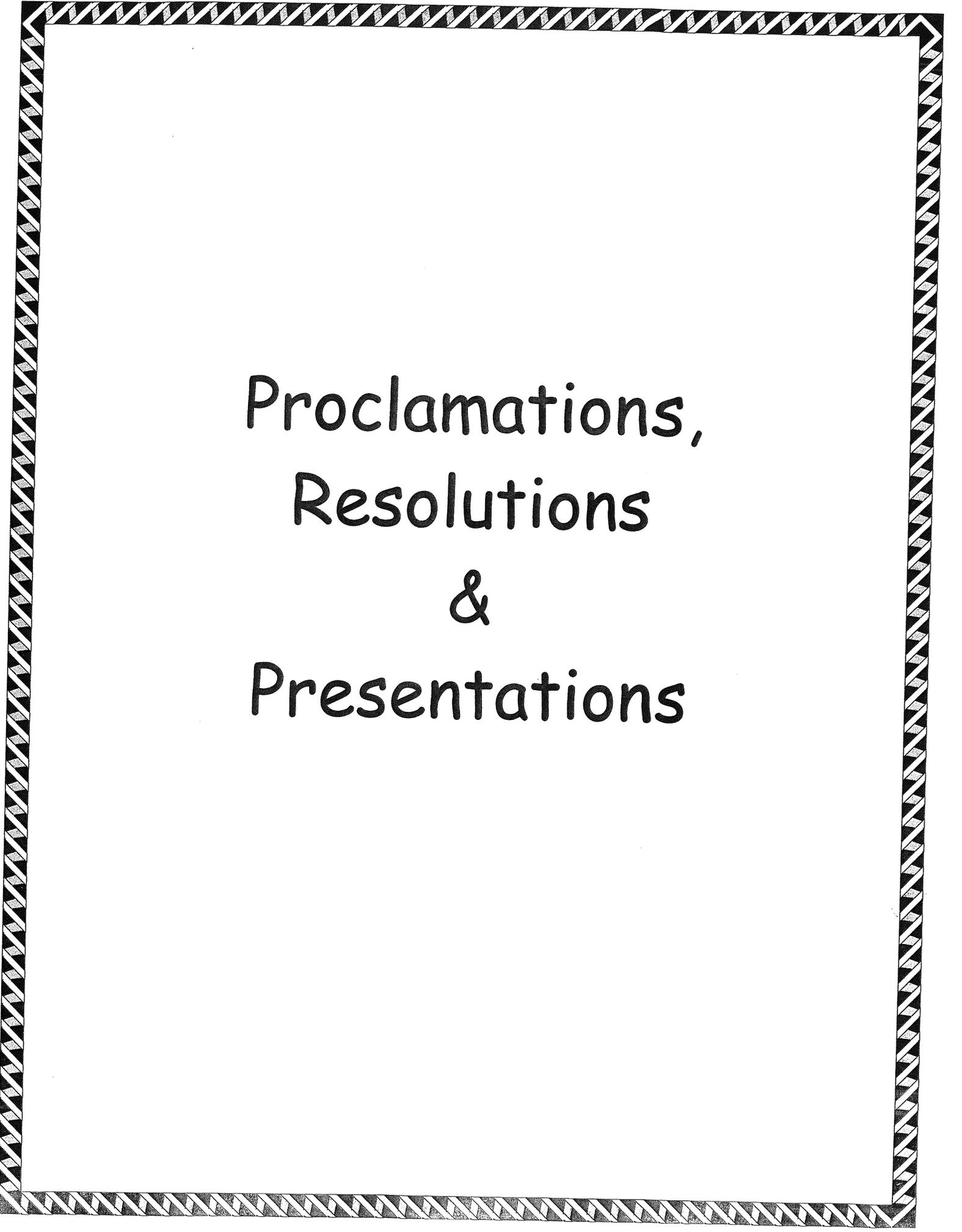
8.0 **CITIZEN COMMENTS (For town topics not on the agenda)**

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.

9.0 **OTHER BUSINESS**

9.1 Select Board Reports and Announcements

10.0 **ADJOURNMENT**



Proclamations,
Resolutions
&
Presentations

Marginal Way Committee Presentation

Select Board Meeting November 8, 2017

On behalf of the Marginal Way Committee, I am asking the Select Board to approve the use of a biological control for the invasive vine Black swallow-wort that is spreading along the Marginal Way.

Your approval is the first step in a process that will also include permits from the Maine Department of Inland Fisheries & Wildlife and the US Dept. of Agriculture (USDA).

Enclosed:

1. The University of Rhode Island *Abstract* – the description of the research project for this biocontrol that was conducted at URI.
2. The two page conclusion from the USDA Environmental Assessment Report, August 21, 2017, granting approval for the release this insect biocontrol for Swallow-wort in the United States.

I will give a brief presentation at the Select Board meeting to explain the details of this project and answer questions.

Joan Griswold
Co-Chair Marginal Way Committee
jdgriz@gmail.com
781-775-1099

Biological control program against Black swallow-wort University of Rhode Island

Abstract

A biological control program has been initiated against the European swallow-worts *Vincetoxicum nigrum* (L.) Moench and *V. rossicum* (Kleopow) Barbar. (Family Apocynaceae) that have become invasive in North America. The leaf-feeding moth, *Hypena opulenta* Christoph (Lepidoptera: Erebidae), originating from eastern Europe, has been under measurement as a potential biological control agent of swallow-worts since 2006. In this study we measured the host range of *H. opulenta* by screening 82 potential host plant species for larval development under no-choice conditions. In addition, we also monitored female fecundity, longevity, and oviposition preference among suitable larval hosts. Successful larval development occurs only on *Vincetoxicum* spp. Partial larval development by one larva was observed on *Boehmeria cylindrica* (L.) Sw. (Urticaceae) to the final instar, but this individual failed to pupate. Exploratory feeding occurred on *Gonolobus stephanotrichus* Griseb. (Apocynaceae) and *Urtica dioica* L. (Urticaceae), but all larvae failed to develop past the first and second instar, respectively. Additional testing with mature larvae on a subset of the plant species demonstrates that no species outside the genus *Vincetoxicum* are suitable for complete larval development of *H. opulenta*. The longevity and fecundity of females raised on each target weed are similar and gravid females do not display an oviposition preference among *Vincetoxicum* spp. *Hypena opulenta* does not present a risk to any native plant species or species of economic importance in North America. Petitions have been submitted for experimental open-field releases of *H. opulenta* in the United States and Canada.

**Decision and Finding of No Significant Impact
for
Field release of the leaf-feeding moth, *Hypena opulenta* (Christoph) (Lepidoptera:
Noctuidae), for classical biological control of swallow-worts, *Vincetoxicum nigrum*
(L.) Moench and *V. rossicum* (Kleopow) Barbarich (Gentianales: Apocynaceae), in the
contiguous United States
August 2017**

The U.S. Department of Agriculture (USDA), Animal and Plant Health Inspection Service (APHIS) is proposing to issue permits for release of a leaf-feeding moth, *Hypena opulenta* (Lepidoptera: Noctuidae). The agent would be used by the applicant for the biological control of swallow-worts, *Vincetoxicum nigrum* and *V. rossicum* (Gentianales: Apocynaceae), in the contiguous United States. Before permits are issued for release of *H. opulenta*, APHIS must analyze the potential impacts of its release into the contiguous United States in accordance with USDA, APHIS National Environmental Policy Act implementing regulations (7 Code of Federal Regulations Part 372). APHIS has prepared an environmental assessment (EA) that analyzes the potential environmental consequences of this action. The EA is available from:

U.S. Department of Agriculture
Animal and Plant Health inspection Service
Plant Protection and Quarantine
Pests, Pathogens, and Biocontrol Permits
4700 River Road, Unit 133
Riverdale, MD 20737
http://www.aphis.usda.gov/plant_health/ea/index.shtml

The EA analyzed the following two alternatives in response to a request for a permit authorizing environmental release of *H. opulenta*: (1) no action, and (2) issue permits for the release of *Hypena opulenta* for biological control of swallow-worts. A third alternative, to issue permits with special provisions or requirements concerning release procedures or mitigating measures, was considered. However, this alternative was dismissed because no issues were raised that indicated that special provisions or requirements were necessary. The No Action alternative, as described in the EA, would likely result in the continued use at the current level of chemical and mechanical control methods for the management of swallow-worts. These control methods described are not alternatives for decisions to be made by APHIS, but are presently being used to control swallow-worts in the United States and may continue regardless of permit issuance for field release of *H. opulenta*. Notice of the EA was made available in the Federal Register on July 13, 2017 for a 30-day public comment period. A total of 28 comments were received on the EA by the close of the comment period. Only one commenter was against the release of the agents, but did not raise any substantive issues. All other comments were in support of the release of *H. opulenta*, although a few questions were raised that are addressed in Appendix 4 of the EA.

I have decided to authorize APHIS to issue permits for the environmental release of *Hypena opulenta*. The reasons for my decision are:

- *Hypena opulenta* is sufficiently host specific and pose little, if any, threat to the biological resources, including non-target insect species, of the contiguous United States.
- *Hypena opulenta* is not likely to adversely affect federally listed threatened and endangered species or their critical habitats in the contiguous United States.
- *Hypena opulenta* poses no threat to the health of humans or animals.
- No negative cumulative impacts are expected from release of *H. opulenta*.
- There are no disproportionate adverse effects to minorities, low-income populations, or children in accordance with Executive Order 12898 "Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations" and Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks."
- While there is not total assurance that the release of *Hypena opulenta* into the environment will be reversible, there is no evidence that this organism will cause any adverse environmental effects.

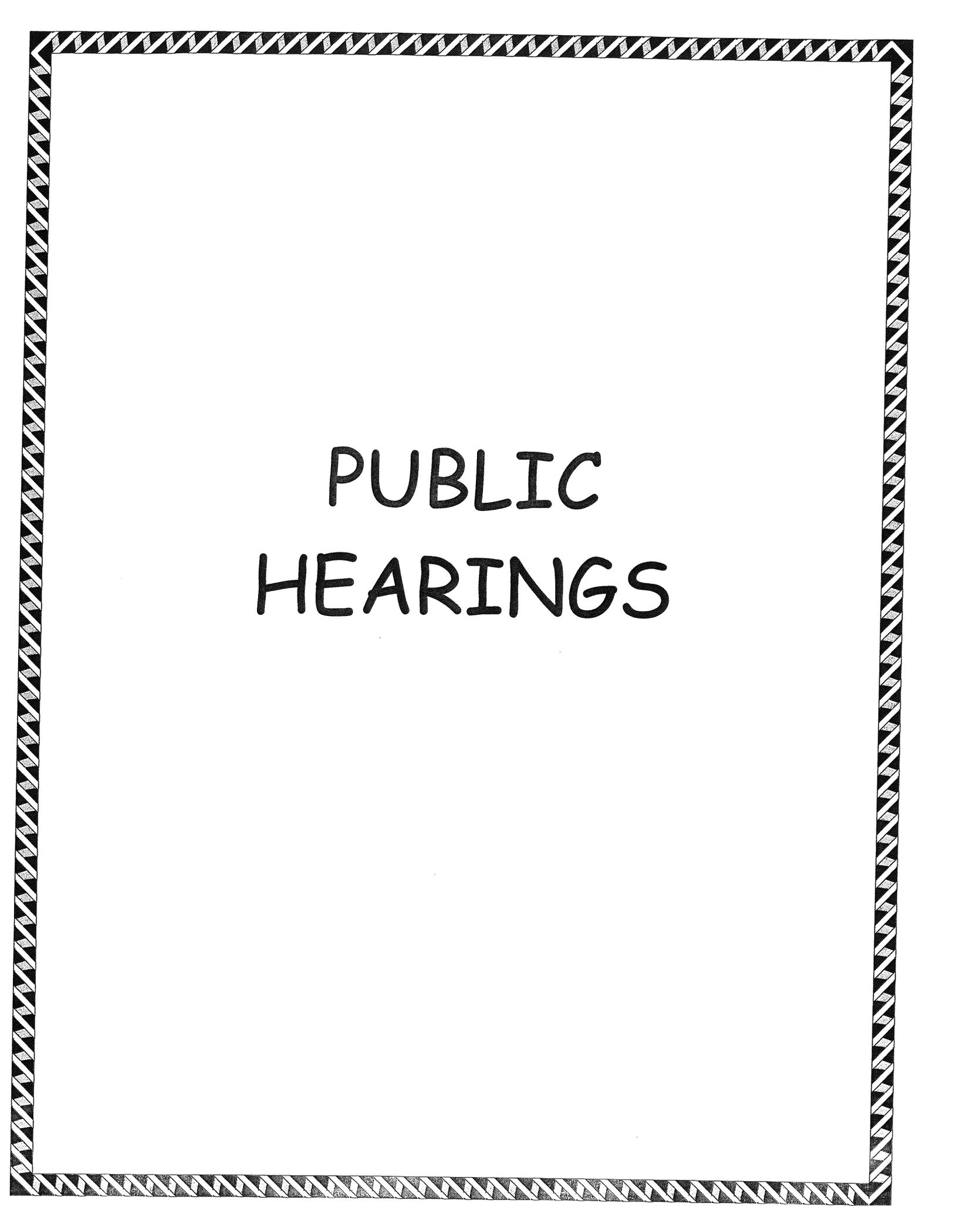
I have determined that there would be no significant impact to the human environment from the implementation of the action alternative and, therefore, no Environmental Impact Statement needs to be prepared.

Carlos A. Blanco

Carlos A. Blanco, acting for Colin Stewart,
Assistant Director
Pests, Pathogens, and Biocontrol Permits
U.S. Department of Agriculture
Animal and Plant Health Inspection Service
Plant Protection and Quarantine

21Aug17

Date



PUBLIC HEARINGS

OGUNQUIT

Beautiful Place by the Sea

PUBLIC HEARING NOTICE

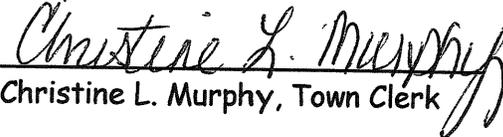
The Ogunquit Board of Selectmen will hold a Public Hearing on Wednesday, November 8, 2017, at 6:00 PM in the Auditorium of the Dunaway Community Center on School Street, Ogunquit, Maine for the following application(s):

MALT, SPIRITUOUS & VINOUS LICENSE (RENEWAL)

Jonathan's 92 Bourne Lane

AMUSEMENT LICENSE (RENEWAL)

Jonathan's 92 Bourne Lane


Christine L. Murphy, Town Clerk

Posted by:


Patricia L. Arnaudin, Police Chief

Posted: October 31, 2017
Dunaway Community Center
Ogunquit Post Office
Ogunquit Transfer Station
WOGT

10.19.2017
@ 10:00am

OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT LIQUOR LICENSE APPLICATION

NEW [] RENEWAL [] FOR THE YEAR: 2018
CURRENT LICENSE EXPIRATION DATE: 11.15.2017

BUSINESS NAME: Jonathans
APPLICANT: Jonathan West
EMAIL: jwest@jonathansogunquit.com
BUSINESS REG #: 2017-199 ISSUE DATE: 5/24/17 MAP: 017 LOT: 037-00A
OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 478

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	<u>Patricia L. Amadori</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10-30-2017</u>
Fire Chief	<u>Mark Bieri</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10-24-17</u>
Code Officer	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>10-23-17</u>

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

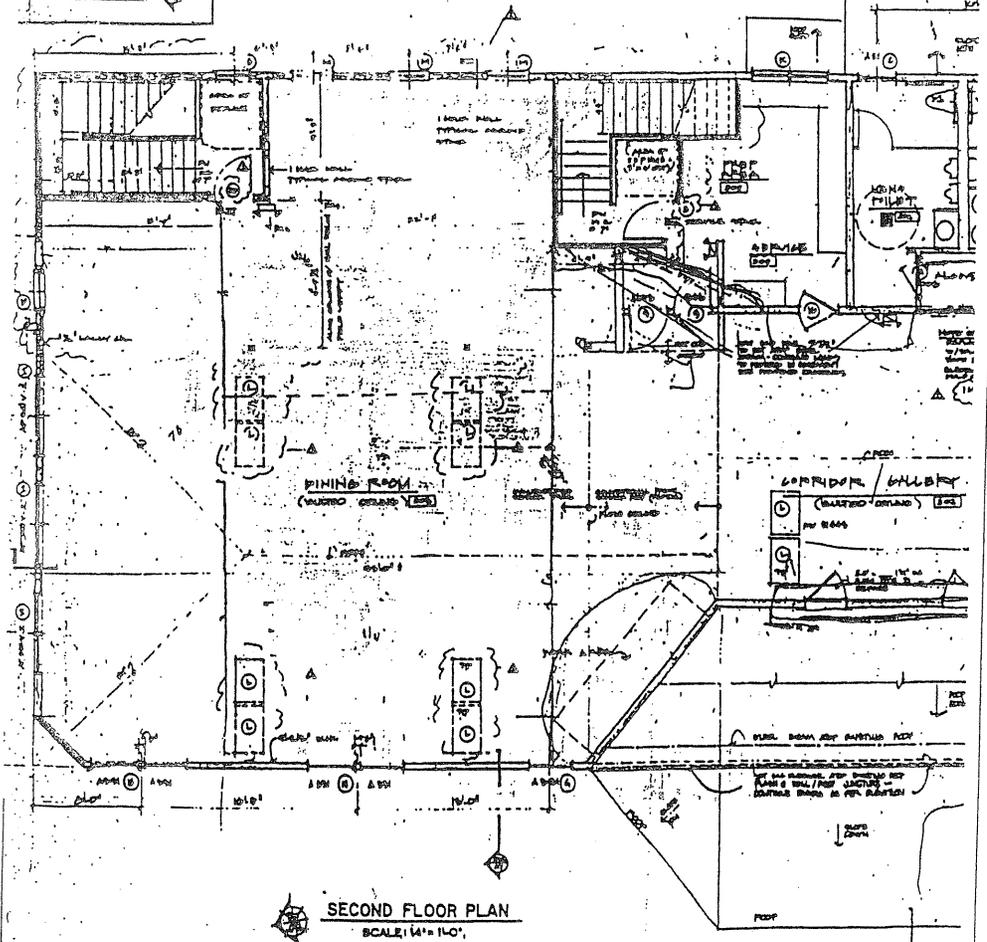
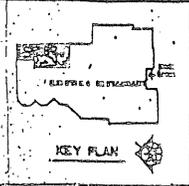
I, the undersigned applicant, acknowledge there has been no change to the business noted above by way of ownership, partnership, location, nature of business or structural change(s) to the building(s) housing the business. Knowingly supplying false information on this application is a Class D offense 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.

[Signature]
APPLICANTS SIGNATURE

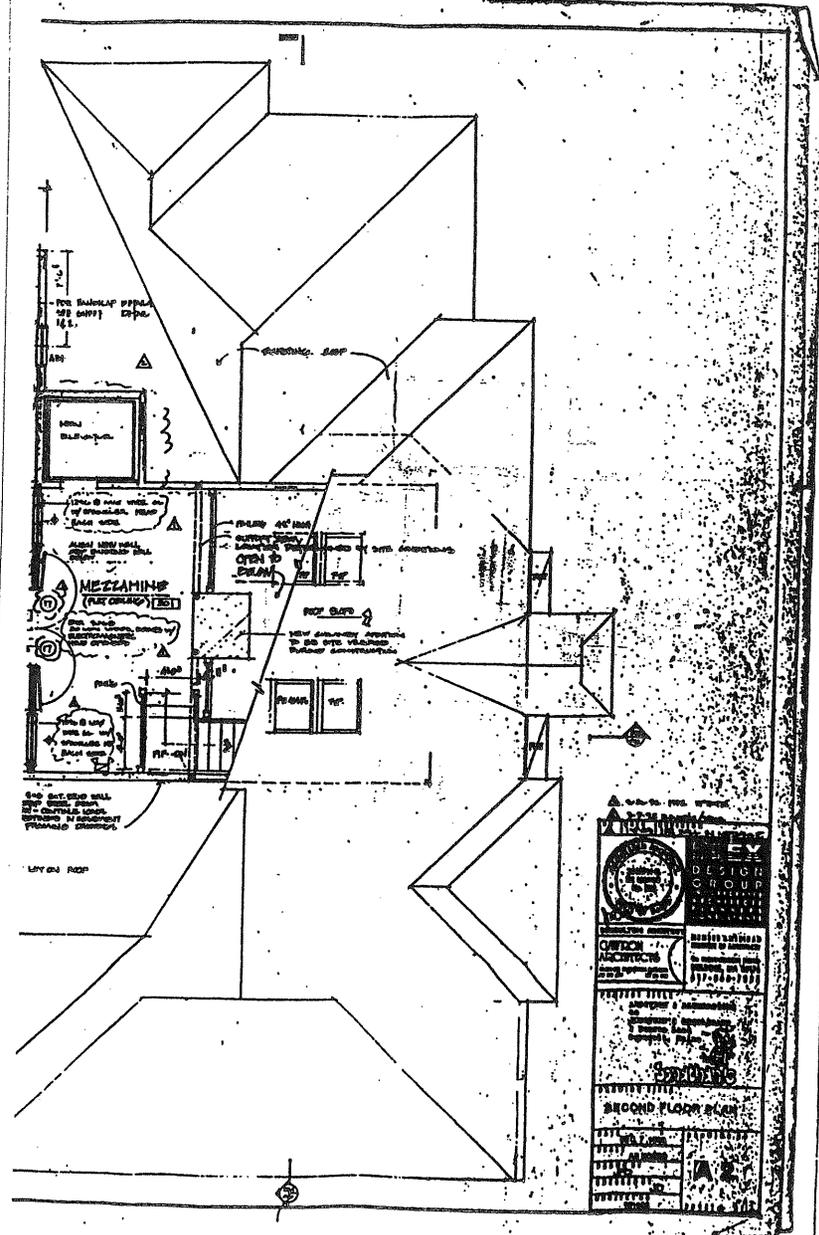
FOR OFFICE USE ONLY

Application Fee: \$200	Date Paid: <u>10/3/17</u>	Check/Cash	Check #: <u>7723</u>
Background Check Fee: \$ <u>42</u>	(\$21.00 per person listed on application)		
Business Reg. Fee: \$150.00	Paid prior to Liquor Application? <input checked="" type="radio"/> YES <input type="radio"/> NO		
TOTAL PAID WITH APPLICATION: \$ <u>242.00</u>		Received by: <u>[Signature]</u> (Town Clerk's Office)	
DATE POSTED: <u>10/31/2017</u>	DATE HEARD: _____	APPROVED: _____	DENIED: _____

NOTE: All work on Second Floor Plan to be new construction.



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



ARCHITECTURAL FIRM

DESIGN GROUP

ARCHITECT

REGISTERED PROFESSIONAL ARCHITECT

NO. 12345

STATE OF CALIFORNIA

DATE: 1/15/77

PROJECT: [Illegible]

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

OGUNQUIT

Beautiful Place by the Sea

OGUNQUIT AMUSEMENT LICENSE APPLICATION

NEW RENEWAL FOR THE YEAR: 2018

BUSINESS NAME: Jonathan

BUSINESS ADDRESS: 92 Bourne Lane Ogunquit

BUSINESS PHONE # 646-4777 HOME PHONE # 251-3090

BUSINESS REG # ISSUE DATE: MAP: LOT:

(Business Registration)

OCCUPANCY LOAD ESTABLISHED BY THE OGUNQUIT FIRE CHIEF: 478

NATURE OF BUSINESS: Restaurant - Entertainment

FORM OF ENTERTAINMENT: (Please be specific)

Concerts, Band - DJ - Comedy Shows Corporate Meetings
Special occasions including weddings, rehearsal
dinners, family celebrations

APPLICANT: Jonathan ADDRESS: 92 Bourne Lane

HAS YOUR LICENSE TO CONDUCT THIS BUSINESS EVER BEEN DENIED, SUSPENDED OR REVOKED?

YES NO

If, YES, please explain:

HAVE YOU, ANY PARTNERS OR CORPORATE OFFICERS EVER BEEN CONVICTED OF A FELONY?

YES NO

If, YES, please explain:

NOTE - SPECIAL ATTENTION

APPLICATION MUST BE SUBMITTED NINETY DAYS (90) PRIOR TO THE EXPIRATION OF THE EXISTING LICENSE.

Please consult Title IX, Chapter 3 of the Ogunquit Municipal Code for all provisions applicable to this license. "Entertainment" is defined as follows in said Code:

"Entertainment shall include dancing by and for patrons, any music, videogames, devices, machines and any other amusement, performance, exhibition, diversion or other activity with an entertainment value whether provided for or used by patrons, independent contractors, employees or proprietors.

Entertainment shall not include televisions or radios nor shall it include "background music" meaning music not involving live performers and not used for dancing and which music is only incidental to the primary activity offered."

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 since no change
(Insert date when change was made)

[Signature]
 PROPERTY OWNER'S SIGNATURE

[Signature]
 APPLICANT'S SIGNATURE

THE FOLLOWING MUST BE SUBMITTED WITH THIS APPLICATION:

1. All applications shall be accompanied by two (2) scale drawings at a scale of one (17") inch to ten (10') feet depicting the floors of the building in which the entertainment is to be located, all entrances and exits and all areas open to patrons indicating in each area the use made by patrons and indicating the floors and areas for which the applicant seeks a license.
2. Applicants for video game entertainment shall present, to scale, floor plans depicting the location and floor area of these devices and the location of the supervisor(s). Machines shall be listed by function and serial number.
3. Applicants for patron dancing entertainment shall present to scale floor plans depicting the location and size of the dance floor(s).
4. Each application shall constitute a new application and all required information must be included. Licenses expire on May 31st of each year.

FOR OFFICE USE ONLY

TITLE	SIGNATURE	APPROVAL		REPORT ATTACHED		DATE
		Yes	No	Yes	No	
Police Chief	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>10-30-2017</u>
Fire Chief	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10-24-17</u>
Code Officer	<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>10-23-17</u>

Received by: [Signature] Fee \$ 100 Date Paid 10/3/17
(Town Clerk's Office)

Check / Cash 7723
 Filed with Liquor License Application

Date posted: 10/31/17 Date Heard: _____ Date Approved: _____ Date Denied: _____

OGUNQUIT BOARD OF SELECTMEN



New Business



POLE PERMIT APPLICATION

TO: Code Enforcement Officer
 Public Works Department Director
 Fire Chief

FR: Town Clerk

RE: Pole Permit Location Application

DATE: November 2, 2017

Application for a pole location, received this date from Central Maine Power:

Permission to: Construct and maintain poles together with attached facilities and appurtenances upon, along or across certain streets and highways in said Town as described below:

Starting Point: Placement of a new Pole 24 ½ (24H)
 Road: Captain Thomas Road
 Direction: Westerly of intersection of Adams Lane
 Distance: 787 feet
 Number of Poles: 1
 Fairpoint#: 314136

Please review; sign off, where indicated and return to Town Manager's Office for submission to the Select Board for consideration and/or approval.

<u>TITLE</u>	<u>SIGNATURE</u>	<u>APPROVAL</u>		<u>DATE</u>
		Yes	No	
PWD Director		[X]	[]	<u>11-2-2017</u>
Fire Chief		[X]	[]	<u>11-2-2017</u>
Code Officer		[✓]	[]	<u>11-2-2017</u>

FairPoint

APPLICATION FOR POLE LOCATIONS

October 10, 2017

To the Board of Selectmen
of Ogunquit, Maine

NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC and **CENTRAL MAINE POWER COMPANY** respectfully request(s) permission for a location for poles and cables and wires thereon, including the necessary sustaining, supporting and protecting fixtures in, along, upon and across the following named public streets and highways:

IN THE TOWN OF OGUNQUIT, MAINE

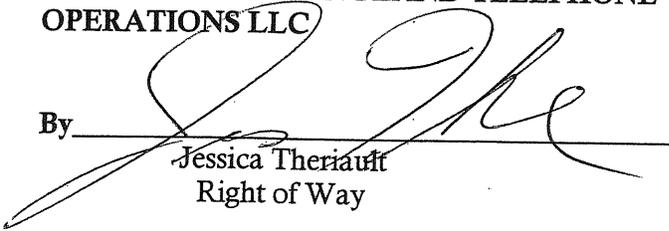
Captain Thomas Road – Placement of new Pole 24 ½ [24H] approximately 787 feet Westerly of intersection of Adams Lane, one pole

THIS APPLICATION IS BEING SUBMITTED WITHOUT PUBLIC NOTICE BY PUBLICATION

Said poles to be erected substantially in accordance with the plan filed herewith marked FairPoint. No. 314136 dated October 10, 2017 and shall be of wood or other suitable material, and the cables and wires shall be run at the height in compliance with standards of the National Electrical Safety Code at highway crossings and elsewhere for electric cables and wires, and (or) for telephone cables and wires. All cables and wires to be maintained in accordance with standards of the National Electrical Safety Code.

**NORTHERN NEW ENGLAND TELEPHONE
OPERATIONS LLC**

By



Jessica Theriault
Right of Way

CENTRAL MAINE POWER COMPANY

By



Herb Stevens

Supervisor – Integrated Field Design

PERMIT FOR POLE LOCATIONS

To the Board of Selectmen
Ogunquit, Maine

ORDERED: That NORTHERN NEW ENGLAND TELEPHONE OPERATIONS LLC and CENTRAL MAINE POWER COMPANY be and is/are hereby authorized and permitted to erect and maintain poles and cables and wires to be placed thereon, together with such sustaining, supporting and protecting fixtures as said companies may deem requisite, in, along, upon and across the public streets and highways of said Town of Ogunquit as hereinafter designated, as requested in application of said companies dated the 10th day of October, 2017.

All construction under this permit shall be in accordance with the following specifications: The poles shall be located between the vehicular traveled section of the way and the limits of the highway, shall be set firmly in the ground, substantially at locations indicated upon the plan marked Fairpoint No. 314136 dated October 10, 2017 filed with said application, and shall be of wood or other suitable material, and the cables and wires shall be run at the height in compliance with standards of the National Electrical Safety Code at highway crossings and elsewhere for electric cables and wires, and (or) for telephone cables and wires.

All cables and wires to be maintained in accordance with standards of the National Electrical Safety Code.

Following are the public streets and highways above referred to:

Captain Thomas Road – Placement of new Pole 24 ½ [24H] approximately 787 feet Westerly of intersection of Adams Lane, one pole

THIS PERMIT IS BEING GRANTED WITHOUT PUBLIC NOTICE BY PUBLICATION

It is further adjudged and voted that satisfactory proof of validity of the applicant's notice or procedures required by statute has been given upon the application of said companies to erect poles with the cables and wires thereon in, along, upon and across the public streets and highways of Ogunquit, Maine, designated by this permit.

Board of Selectmen

PERMIT GRANTED

_____, 2017

This permit is recorded in the Records of the _____ of _____,
Book _____, Page _____

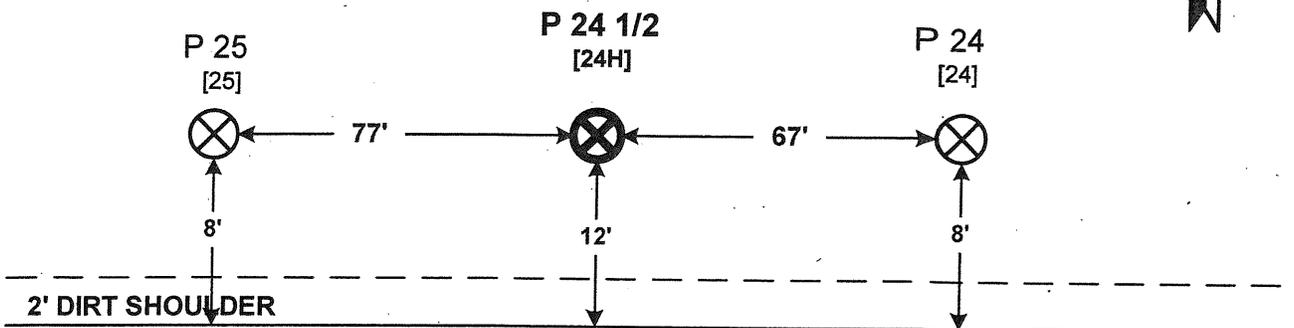
Town Clerk

FairPoint No: 314136 Municipality: Ogunquit Exchange Code: 7341

Engineer Name: Jennifer Foley Engineer Number: 603-540-1616 Date: 10/10/2017

License Detail: Permit required for pole placement

Lat: 43.264282
Lon: -70.609587



Captain Thomas Rd
Tel RT 303

(Municipal Road)

2' DIRT SHOULDER

736' to Autumn River Lane

787' to Adams Lane

ALL PLANT IS LOCATED WITHIN HIGHWAY LIMITS

ELCO: CMP

[] = ELCO POLE NUMBER

DOT NO. _____

Memo #: 17-MEI-83636

= PEDESTAL POST LOCATION

INITIAL PROPOSED FACILITIES TO BE:

= WARNING SIGN LOCATION

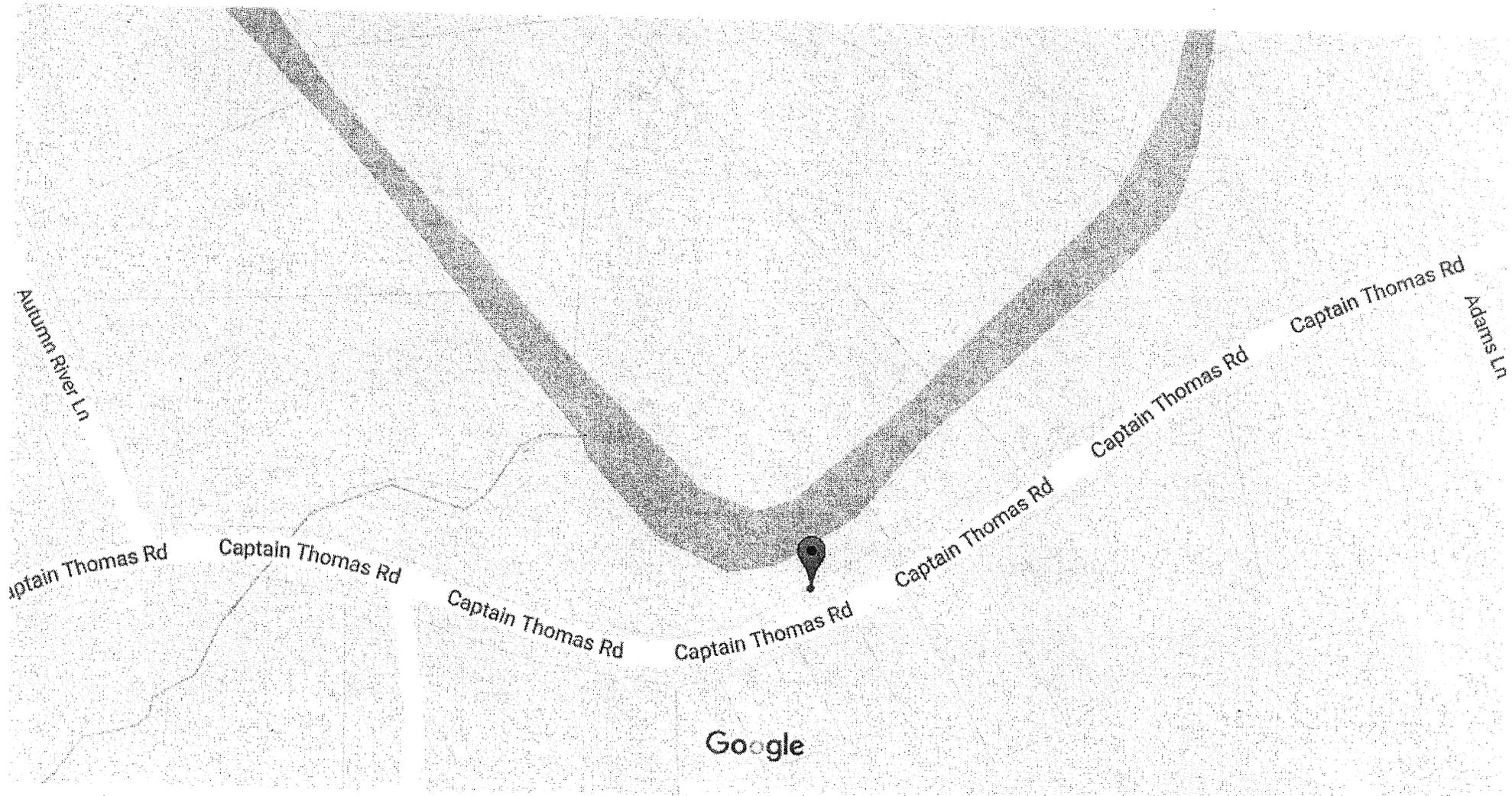
CHECKED BY _____

POWER CO. = 7200 VOLTS Single PHASE.

= MANHOLE LOCATION

TEL CO. = COPPER CABLE

= BURIED CABLE/CONDUIT LOCATION



Agenda Item for Select Board meeting on October 17, 2017

Topic: Issue RFP for OVS building

Sponsor/Select Board: Madeline S. Mooney

Goal: Issue a Request for Proposal (RFP) for a reputable engineering firm to evaluate the structure of the Old Village School (OVS) and quantify the cost of bringing it up to code, without a specific use in mind. Having this information as soon as possible will allow the community to make a determination on potential uses of the OVS as it establishes a Capital Improvement Plan.

Background: In June 2018, voters narrowly passed a warrant article “to appropriate a sum not to exceed \$120,000 from the Undesignated Fund Balance to Fund Professional Services to Provide a Design, Building Cost Estimate and Other Associated Costs to Re-purpose the Ogunquit Village School “. At the same time, voters defeated an article 2-1 to repurpose the OVS as a Community Center at a cost of \$1.8 million (\$2.574 million bond issue). In November 2017, voters defeated an article to repurpose the OVS as a Multi-Generational Center (including a pre-school) by a 2-1 margin.

Overview:

Issue an RFP for a reputable engineering firm to evaluate the structure of the OVS . Also, is there mold, rot, etc.? Is it structurally sound? If so, what would it cost to bring it up to code? Include a review of all systems including HVAC, electrical and plumbing.

The design element of the work cannot be completed until there is a purpose defined for the building.

Additional Discussion:

Timeline and Responsibilities

\$ 2,500	438 (Passed)
\$ 0	103
BLANKS	62

Article 49: Shall the Town vote to appropriate a sum not to exceed **\$17,000** from the **Undesignated Fund Balance** for the **Re-codification of the Town’s Ordinances** for the **General Government Department**? *[Note: If this article is defeated, the appropriation for Re-codification of the Town’s Ordinances for the General Government Department will default to \$0 pursuant to Section 503 of the Town Charter]*

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

\$ 17,000	355 (Passed)
\$ 0	179
BLANKS	69

Article 50: Shall the Town vote to appropriate a sum not to exceed **\$120,000** from the **Undesignated Fund Balance** to **Fund Professional Services to Provide a Design, Building Cost Estimate and Other Associated Costs to Re-purpose the Ogunquit Village School**? *[Note: If this article is defeated, the appropriation for a Design Plan to Re-purpose of the Ogunquit Village School will default to \$0 pursuant to Section 503 of the Town Charter]*

Select Board recommends:	Yes	5-0
Budget Review Committee recommends:	Yes	5-0

\$120,000	278 (Passed)
\$ 0	268
BLANKS	57

Article 51: Shall the Town (1) vote to approve a capital improvement project consisting of **Improvements to Ogunquit Village School for the Development of a Community Center** for the **Parks and Recreation Department**, (the “Project”); (2) appropriate a sum not to exceed **\$1,800,000** to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed **\$1,800,000**; and (4) delegate to the Treasurer and the Chairman of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?

- \$17,000 Budget Review Committee recommends: Yes 5-0
- \$0 Previous Year Appropriation

Funding for this Article: Undesignated Fund Balance \$17,000

Article 49 Budget Summary: *The Ogunquit Municipal Code was originally published by a codifier in 1980. The Re-Codification would entail a comprehensive review and updating of the 1980 Code and include all legislation of a general and permanent nature through November 8, 2016. The scope of services is to include research and editorial and legal review to identify conflicts, inconsistencies and other problem areas in need of updating or correction; the incorporation of any necessary revisions; the creation of an index; the printing of 5 copies of the Code; and the preparation of Code adoption material and a disposition list to document the final disposition of all Code-relevant legislations. The Town would also receive a fully searchable online version of the Code.*

Article 50: Shall the Town vote to appropriate a sum not to exceed \$120,000 from the Undesignated Fund Balance to Fund Professional Services to Provide a Design, Building Cost Estimate and Other Associated Costs to Re-purpose the Ogunquit Village School?

- \$120,000 Select Board recommends: Yes 5-0
- \$120,000 Budget Review Committee recommends: Yes 5-0
- \$0 Previous Year Appropriation

Funding for this Article: Undesignated Fund Balance \$120,000

Article 50 Budget Summary: *These funds would be used specifically to engage professional services to provide design, engineering and specific cost estimates to re-purpose the Ogunquit Village School.*

Article 51: Shall the Town (1) vote to approve a capital improvement project consisting of Improvements to Ogunquit Village School for the Development of a Community Center for the Parks and Recreation Department, (the "Project"); (2) appropriate a sum not to exceed \$1,800,000 to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairman of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to



Office of the Town Manager

To: Select Board
From: Pat Finnigan
Date: Nov. 3, 2017

RE: Selection of Town Attorney

The Select Board voted to have staff issue a request for proposals/qualifications from attorneys/law firms with the intent of selecting a law firm to serve as the Town Attorney for most of the Town's legal needs. Having one firm to advise the Town will allow the Select Board and staff to work with the attorney(s) so they have a full understanding of the issues facing the Town, can establish a consistent approach to addressing legal issues, and work with the Town to address issues proactively and cost effectively.

The Town received responses from six firms. In reviewing the proposals, we need to focus on the qualifications and ability of each firm to serve the needs of the Town. We do not want to spend more on legal services than is necessary, but calling upon an attorney for timely and consistent legal advice that can save the Town money. How a law firm and the attorneys work with us is important. Some firms and attorneys see their work as a business transaction, while others work in partnership to anticipate issues and use their time as cost effectively as possible.

Attached is a rating sheet with some suggested criteria to consider as you review the proposals/qualifications:

- Background and recognition in their field/area of law
- Experience, depth of knowledge, ability
- Municipal law specialties (land use, labor, finance, etc)
- Availability and responsiveness
- Fees & Costs/cost effectiveness

Staff Recommendation for the Selection Process:

1. The Select Board should agree on which firms to interview;
2. The Select Board should designate 2 or 3 Select Board Members to serve on the interview team with the Town Manager;
3. The interview team will meet with the firms and make a recommendation to the full Board regarding which firm should be appointed as the Town's attorney/law firm.
4. The timeline to approve the contract: Dec. 5 Select Board meeting.

Legal Services Proposals/Qualifications

	Background	Experience	Specialties	Availability	Fees	
Firm: _____						Total
Bernstein Shur						
Brann & Isaacson						
Drummond Woodsum						
Jensen Baird						
Preti Flaherty						
Trafton & Matzen						

Comments/Notes:

1. Background and recognition in their field/area of law

2. Experience, depth of knowledge, ability

- Years the firm has been in business
- Experience of the attorney(s) who would be assigned to Ogunquit
- Number of attorneys in the municipal law practice
- Number and variety of municipal clients; complexity of issues
- Litigation track record
- Alternative dispute resolution or mediation

3. Technical expertise/Areas of specialties

- General municipal law
- Land use/zoning law
- Personnel and labor law
- Solutions oriented; alternative dispute resolution
- Litigation experience & track record
- Financial matters/bond counsel

4. Availability and Responsiveness

- Does the firm have a sufficient number of lawyers and other staff to respond to our questions/issues.
- Who will assist us if the principal attorney is not available (what's their back-up/bench strength)

5. Fees & Costs

- Is the Town charged on an hourly basis based on actual time used
- Is the Town allotted a certain amount of usage each month before being billed
- Are any services, such as training, included as part of the contract; additional charges

Score 1 to 5

- 5 - Outstanding (Definitely interview)
- 3 - Average/acceptable (Perhaps interview)
- 1 - Little or none/poor (Not worth interviewing)

**Town of Ogunquit
CIP Request Form**

Capital Improvement Request (CIP) form to be completed for each CIP item

Asset/Project Budget Year:	
Ogunquit Department:	
Asset/Project Title:	
Asset/Project Priority:	
Asset/Project Price:	
Asset/Project Description:	
Define Purpose/Scope of Asset/Project:	
If asset is expected to realize an annual savings, how will this be realized?	
Asset/Project Expected Life (Years):	
Expected Annual Operating/Maintenance Expense (\$):	
Does this CIP request replace an existing Asset(s)/Project(s) [detail including trade-in value]:	
Were multiple price quotes obtained for the CIP Asset/Project? Yes/No/Provide details:	
Is a Used or Alternative (lower cost, different model, different method, etc.) available? [Description/Assessment]:	
What alternative solutions are available (outsourcing, contractual agreement, town and/or department sharing)? :	
Additional comments:	

Town of Ogunquit
Capital Improvements Plan
July 1, 2017- June 30, 2022

	<u>Requested 2016-2017</u>	<u>Approved 2016-2017</u>	<u>Requested 2017-2018</u>	<u>Town Manager Recommends</u>	<u>Requested 2018-2019</u>	<u>Requested 2019-2020</u>	<u>Requested 2020-2021</u>
General Government							
Revaluation	\$ -	\$ 225,000	\$ -	\$ -	\$ -	\$ -	\$ -
Re-codification of Town Ordinances	\$ -	\$ -	\$ 17,000	\$ 17,000	\$ -	\$ -	\$ -
Annual Totals	\$ -	\$ 225,000	\$ 17,000	\$ 17,000	\$ -	\$ -	\$ -
	\$ -	\$ 225,000	\$ 17,000	\$ 17,000	\$ -	\$ -	\$ -
Parks & Recreation							
Village School Restoration	\$ -	\$ -	\$ 1,869,000	\$ -	\$ -	\$ -	\$ -
Annual Totals	\$ -	\$ -	\$ 1,869,000	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 1,869,000	\$ -	\$ -	\$ -	\$ -
Land Use							
Planning - Main Beach/Beach Street	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Totals	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -
Police Department							
Equipment - Cruiser Set-up	\$ 12,650	\$ 12,650	\$ 0	\$ 0	\$ 12,000	\$ 12,000	\$ 12,000
Police Cruisers	\$ 31,000	\$ 31,000	\$ 0	\$ 0	\$ 33,000	\$ 34,000	\$ 35,000
New Police Facility	\$ 1,300,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Totals	\$ 1,343,650	\$ 43,650	\$ -	\$ -	\$ 45,000	\$ 46,000	\$ 47,000
	\$ 1,343,650	\$ 43,650	\$ -	\$ -	\$ 45,000	\$ 46,000	\$ 47,000
Fire Department							
2016-2017							
Replace Air Paks & Compressor (Final Payment)	\$ 82,000	\$ 82,000	\$ -	\$ -	\$ -	\$ -	\$ -
New Overhead Doors w/Remotes	\$ 12,000	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ -
Re-surface Fire Station Floors	\$ 30,000	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 124,000	\$ 124,000	\$ -	\$ -	\$ -	\$ -	\$ -
2017-2018							
Renovate Kitchen/Day Room in Fire Station	\$ -	\$ -	\$ 60,000	\$ 60,000	\$ -	\$ -	\$ -
Replace Rescue 1 (ambulance)	\$ -	\$ -	\$ 45,000	\$ 45,000	\$ -	\$ -	\$ -
New Brush Truck	\$ -	\$ -	\$ 38,000	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 143,000	\$ 105,000	\$ -	\$ -	\$ -
2018-2019							
Pumper to Replace Engine 1 (30 years old)	\$ -	\$ -	\$ -	\$ -	\$ 450,000	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ 450,000	\$ -	\$ -
2019-2020							
No Request	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020-2021							
No Request	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Totals	\$ 124,000	\$ 124,000	\$ 143,000	\$ 105,000	\$ 450,000	\$ -	\$ -
	\$ 124,000	\$ 124,000	\$ 143,000	\$ 105,000	\$ 450,000	\$ -	\$ -
Public Works Department							
Equipment							
2016-2017							
Pickup Truck w/Plow & Sander (Ford F-350)	\$ 65,000	\$ 65,000	\$ -	\$ -	\$ -	\$ -	\$ -
Tag-along Equipment Trailer	\$ 8,000	\$ 8,000	\$ -	\$ -	\$ -	\$ -	\$ -
Beach Cleaning Surf Rake	\$ 55,000	\$ 55,000	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 128,000	\$ 128,000	\$ -	\$ -	\$ -	\$ -	\$ -
2017-2018							
Utility Tractor w/Loader & Mower	\$ -	\$ -	\$ 25,100	\$ 25,100	\$ -	\$ -	\$ -
Plow Truck w/Dump, Plow, Wing & Sander (International Workstar 7400)	\$ -	\$ -	\$ 170,000	\$ 170,000	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 195,100	\$ 195,100	\$ -	\$ -	\$ -

Town of Ogunquit
 Capital Improvements Plan
 July 1, 2017- June 30, 2022

	<u>Requested 2016-2017</u>	<u>Approved 2016-2017</u>	<u>Requested 2017-2018</u>	<u>Town Manager Recommends</u>	<u>Requested 2018-2019</u>	<u>Requested 2019-2020</u>	<u>Requested 2020-2021</u>
2018-2019							
No Request	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2019-2020							
No Request	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2020-2021							
No Request	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Annual Totals (Equipment)	\$ 128,000	\$ 128,000	\$ 195,100	\$ 195,100	\$ -	\$ -	\$ -
PWD Infrastructure							
2016-2017							
Energy Efficient Overhead Bay Heaters for Public Works Garage	\$ 15,000	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -
Sign Shop & Storage Shed	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 35,000	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -
2017-2018							
Engine Oil System	\$ -	\$ -	\$ 10,000		\$ -	\$ -	\$ -
Exterior Surveillance Equipment (Public Works Garage)	\$ -	\$ -	\$ 30,000		\$ -	\$ -	\$ -
Beach Street Sidewalk (New Construction)	\$ -	\$ -	\$ 14,000		\$ -	\$ -	\$ -
Obeds Lane Sidewalk (New Construction)	\$ -	\$ -	\$ 25,000		\$ -	\$ -	\$ -
Sign Shop & Storage Shed	\$ -	\$ -	\$ 20,000		\$ -	\$ -	\$ -
Repair Tennis Courts	\$ -	\$ -	\$ 25,000		\$ -	\$ -	\$ -
Rebuild Tennis Courts	\$ -	\$ -	\$ 150,000		\$ -	\$ -	\$ -
Replace Main Beach Ramps	\$ -	\$ -	\$ 17,000		\$ -	\$ -	\$ -
Build New Attached Wash Bay	\$ -	\$ -	\$ 115,000		\$ -	\$ -	\$ -
Convert Existing Bay to Wash Bay	\$ -	\$ -	\$ 95,000		\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 501,000		\$ -	\$ -	\$ -
2018-2019							
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2019-2020							
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2020-2021							
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Annual Totals (Infrastructure)	\$ 35,000	\$ -	\$ 501,000		\$ -	\$ -	\$ -
Paving Projects							
2016-2017							
Upper Parking Lot	\$ 15,000	\$ -	\$ -		\$ -	\$ -	\$ -
Highland Avenue (shim & overlay); South Street - Reclaim & Pave	\$ 45,000	\$ 45,000	\$ -		\$ -	\$ -	\$ -
Cottage Street, Obeds & Dunaway - Reclaim & Pave	\$ 100,000	\$ 100,000	\$ -		\$ -	\$ -	\$ -
Sewer Plant Road	\$ 12,000	\$ -	\$ -		\$ -	\$ -	\$ -
	\$ 172,000	\$ 145,000	\$ -		\$ -	\$ -	\$ -
2017-2018							
Agamenticus Road Reclaim and Pave	\$ -	\$ -	\$ 90,000		\$ -	\$ -	\$ -
Cherry Lane	\$ -	\$ -	\$ 50,000		\$ -	\$ -	\$ -
Israel Head Road	\$ -	\$ -	\$ 32,000		\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 172,000		\$ -	\$ -	\$ -
2018-2019							
Grind & Resurface Frazier Pasture Road	\$ -	\$ -	\$ -		\$ 180,000	\$ -	\$ -

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2019-2020	\$ -	\$ -	\$ -		\$ 180,000	\$ -	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2020-2021	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Annual Totals (Paving)	\$ 172,000	\$ 145,000	\$ 172,000		\$ 180,000	\$ -	\$ -
Transfer Station							
2017-2018							
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2018-2019	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2019-2020	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2020-2021	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Annual Totals	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Harbormaster							
2016-2017							
Replace Mooring Chains/Perkins Cove Footbridge (STM 11-8-2016)	\$ 50,000	\$ 120,000	\$ -		\$ -	\$ -	\$ -
Repair/replace Rip-rap in rear of Perkins Cove	\$ 200,000	\$ -	\$ -		\$ -	\$ -	\$ -
	\$ 250,000	\$ 120,000	\$ -		\$ -	\$ -	\$ -
2017-2018							
Repair/replace Rip-rap in rear of Perkins Cove	\$ -	\$ -	\$ 200,000		\$ -	\$ -	\$ -
Footbridge - Electrical Cable and Hookup	\$ -	\$ -	\$ 9,000		\$ -	\$ -	\$ -
Boatways Replacement	\$ -	\$ -	\$ 50,000		\$ -	\$ -	\$ -
	\$ -	\$ -	\$ 259,000		\$ -	\$ -	\$ -
2018-2019							
No request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2019-2020							
No request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
2020-2021							
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ -
Annual Totals	\$ 250,000	\$ 120,000	\$ 259,000		\$ -	\$ -	\$ -
Administrative Services							
2016-2017							
Replace Covered Entrance to Dunaway Recreation Room	\$ 23,000	\$ 23,000	\$ -		\$ -	\$ -	\$ -
Replace Covered Entrance to Police Rear Emergency Egress	\$ 38,000	\$ 30,000	\$ -		\$ -	\$ -	\$ -
Remodel Front Window Area - Clerks Office	\$ 12,000	\$ -	\$ -		\$ -	\$ -	\$ -
Replace Rear, front side steel stairwell to Auditorium and side walkway	\$ 15,000	\$ 15,000	\$ -		\$ -	\$ -	\$ -
Dunaway Heating upgrade (Phase 1 of 2)	\$ 13,000	\$ 13,000	\$ -		\$ -	\$ -	\$ -
Bathhouse Upgrade - Jacobs/Moody	\$ 150,000	\$ 150,000	\$ -		\$ -	\$ -	\$ -

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Building Maintenance Fund	\$ 15,000	\$ 15,000	\$ -		\$ -	\$ -	\$ -
2017-2018	\$ 266,000	\$ 246,000	\$ -		\$ -	\$ -	\$ -
Bathhouse Upgrade	\$ -	\$ -	\$ 150,000		\$ -	\$ -	\$ -
Remodel Front Window Area - Clerks Office	\$ 12,000	\$ -	\$ 12,000		\$ -	\$ -	\$ -
Dunaway Air Conditioner Replacement	\$ -	\$ -	\$ 65,000		\$ -	\$ -	\$ -
Heating upgrade (Phase 2 of 2)	\$ -	\$ -	\$ 50,000		\$ -	\$ -	\$ -
Dunaway Auditorium Entrance (School side)	\$ -	\$ -	\$ 15,000		\$ -	\$ -	\$ -
Police Department Entry Repairs (School side)	\$ -	\$ -	\$ 16,000		\$ -	\$ -	\$ -
Building Maintenance Fund	\$ -	\$ -	\$ 15,000		\$ -	\$ -	\$ -
2018-2019	\$ 12,000	\$ -	\$ 323,000		\$ -	\$ -	\$ -
Building Maintenance Fund	\$ -	\$ -	\$ -		\$ 15,000	\$ -	\$ -
2019-2020	\$ -	\$ -	\$ -		\$ 15,000	\$ -	\$ -
Building Maintenance Fund	\$ -	\$ -	\$ -		\$ -	\$ 15,000	\$ -
2020-2021	\$ -	\$ -	\$ -		\$ -	\$ 15,000	\$ -
No Request	\$ -	\$ -	\$ -		\$ -	\$ -	\$ 15,000
Annual Totals	\$ 266,000	\$ 246,000	\$ 323,000		\$ 15,000	\$ 15,000	\$ 15,000
TOTAL - ALL DEPARTMENTS	\$ 2,318,650	\$ 1,071,650	\$ 3,479,100		\$ 690,000	\$ 61,000	\$ 62,000