



## **SELECT BOARD MEETING MINUTES OCTOBER 12, 2010**

### **5:00PM – PRIORITIES WORKSHOP**

To gather input from the public on what the priorities for the Town of Ogunquit should be for the upcoming year and beyond

Members of the Select Board present for the workshop: Chairman Donato Tramuto, Jacqueline Bevins, Phil Cavaretta, Graham Simonds and Town Manager Thomas A. Fortier. Michael Score was not present.

Members of the public present who commented:

Mike Horn

- Establish a Watershed Committee with Wells.
- Maintain Beach integrity.
- The following was submitted:

*"Among the Conservation Commission's (and also, town's) top priorities, shall be the continuing program protecting the health of Ogunquit Beach: the stepped up sampling of the river and estuary for biological contamination and the increased effort for locating the origins of that contamination...the hot spots (detailed HB report upcoming). Additionally, we will be meeting with consultants and reviewing new information on filtration systems that directly reduce pollutants entering the waterways. We are in the process of developing an Ogunquit River Watershed Committee in conjunction with the Wells Conservation Committee. A plan for the introduction of pervious (porous) paving for new sidewalks and parking lots. We are working on a comprehensive blueprint to establish an area of conservation land on upper Berwick Road. And lastly, but most important, an action plan and procedure for the annual fencing of the dunes."*

Roger Brown

- Steps need to be taken to remedy the high readings in Ogunquit River.
- Upgrade public restrooms, long overdue. Waterless urinals eliminate water and sewer costs.

Helen Horn

- Marginal Way care and upkeep.

The following items were identified during the workshop:

<b>1. Protect Health of the Beach</b>	
	\$\$ unknown Beach Elevation
	\$\$ unknown Identify Hot Spots
	\$\$ unknown Filtration Systems that will reduce pollutants entering the Ogunquit River
	\$\$ unknown Watershed Committee
	\$\$ unknown Replace paving with pervious paving materials
	\$\$ unknown Fencing of the Dunes
<b>2. Area of Conservation – Berwick Road</b>	
<b>3. Waterless Urinals for Public Restrooms</b>	
<b>4. Marginal Way – Maintain &amp; Preserve</b>	

**1.0 CALL TO ORDER**

The meeting was called to order at 6:08pm.

Members present: Donato Tramuto, Chairman  
Michael Score, Vice Chairman  
Jacqueline Bevins  
Phil Cavaretta  
Graham Simonds

Others present: Thomas A. Fortier, Town Manager

**2.0 PLEDGE OF ALLEGIANCE**

Those in attendance recited the Pledge of Allegiance.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

3.1 **September 14, 2010** – Motion made by Phil Cavaretta and second by Graham Simonds to approve the minutes of the September 14, 2010 Select Board meeting as submitted; approved 5-0.

3.2 **September 21, 2010** - Motion made by Phil Cavaretta and second by Graham Simonds to approve the minutes of the September 14, 2010 Select Board meeting as amended; approved 5-0.

**4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

No appointments, resignations, proclamations or resolutions were submitted.

**5.0 PUBLIC HEARINGS, PRESENTATION**

Public Hearing called to order at 6:10pm

5.1 Jonathan’s Restaurant - *Malt, Spirituous and Vinous License Renewal*

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**101210-01** Motion made by Phil Cavaretta and second by Graham Simonds to approve the Malt, Spirituous and Vinous License renewal for Jonathan’s Restaurant; approved 5-0.

**5.2** Old Village Inn - Malt, Spirituous and Vinous License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**101210-02** Motion made by Graham Simonds and second by Phil Cavaretta to approve the Malt, Spirituous and Vinous License renewal for the Old Village Inn; approved 5-0.

**5.3** Jonathan’s Restaurant - Amusement License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**101210-03** Motion made by Phil Cavaretta and second by Graham Simonds to approve the Amusement License renewal for Jonathan’s Restaurant; approved 5-0.

**5.4** Old Village Inn – Amusement License Renewal

Recommended for approval by the Police Chief, Fire Chief and the Code Enforcement Officer, there were no comments or questions from the Select Board or the public in attendance.

**101210-04** Motion made by Graham Simonds and second by Phil Cavaretta to approve the Amusement License renewal for the Old Village Inn; approved 5-0.

Selectman Bevins commented on the fact that those applying for licenses were supposed to be in attendance.

**5.5** November 2, 2010 Special Town Meeting  
Informational Public Hearing on Proposed Warrant Articles for the November 2, 2010 Special Town Meeting

Article 2 - There were no comments or questions from the Select Board or the public in attendance.

Article 3 - There were no comments or questions from the Select Board or the public in attendance.

Article 4 - Nancy Breen asked if Little Beach was included in the smoking restrictions.

**5.6 Shellfish Harvester Licenses**

To set the fees for Clam Licenses for the 2010-2011 Season (contingent upon final approval from the Department of Marine Resources)

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

Motion made by Jacqueline Bevins and second by Graham Simonds to close the Public Hearing at 6:25pm; approved 5-0.

**6.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

**6.1 Independent Investigation - Jonathan Goodman, Drummond Woodsum**

To review the findings of the Independent Investigative Report and if there was a violation of the Town Charter

This agenda item was postponed until Saturday, October 16, 2010 at 10:00am.

**7.0 ADMINISTRATIVE ITEMS – NEW BUSINESS**

**7.1 Shellfish Harvester Licenses – Shellfish Conservation Commission**

To review and set fees for Clam Licenses for the 2010-2011 Shellfish Season

**101210-05** Motion made by Phil Cavaretta and second by Jacqueline Bevins to set the following fees for Shellfish Harvester Licenses:

Resident/Property Tax Payer	\$25.00
Non-Resident	\$50.00
One-Day Dig Permits	\$15.00

Designated areas will be open every other weekend and holidays (tide permitting) through February 2011, and open every weekend thereafter through March 31, 2011; approved 5-0.

**7.2 Warrant for the November 2, 2010 Special Town Meeting – Thomas A. Fortier, Town Manager**

To review and approve the Warrant for the November 2, 2010 Special Town Meeting

*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 the Town vote to transfer the sum of \$40,000 [Forty Thousand Dollars] from undesignated fund balance for the road drainage project for Grasshopper Lane? (Note: If this article is defeated, the appropriation for this item shall be \$0 pursuant to Section 503 of the Town Charter.)*

*Select Board Recommends: Yes - 5/0*  
*Budget Review Committee Recommends: Yes - 5/0*

*Article 3: Shall the Town vote to transfer the sum of \$11,664 [Eleven Thousand Six Hundred and Sixty-Four Dollars] from undesignated fund balance to cover the expense of installing updated Police Communications Equipment' (Note: If this article is*

*defeated, the appropriation for this item shall be \$0 pursuant to Section 503 of the Town Charter.)*

*Select Board Recommends: Yes - 5/0*

*Budget Review Committee Recommends: Yes - 5/0*

*Article 4: Shall an Ordinance entitled "Public Resources and Conservation", more specifically referenced as Title IV, Chapter 4 (Beaches) of the Ogunquit Municipal Code, be amended with the addition of the following section 407, Smoking Prohibited at Ogunquit Beaches as set forth herein? [Note: Proposed amendment is underlined.]*

**ADD:**

*407 Smoking Prohibited at Ogunquit Beaches*

*407.1 No person shall smoke tobacco or any other substance on Ogunquit Beaches including Main Beach, Footbridge Beach or North Beach. Additionally, the discarding of cigarettes and cigar butts onto the ground at Ogunquit Beaches is unsightly, unclean and particularly hazardous to young children and wildlife. Disposal of such tobacco litter is also prohibited.*

**407.1.1 Enforcement**

*Prior to issuing a citation for a violation of this section, a police officer or any law enforcement officer or code enforcement officer shall issue one (!) verbal warning to an individual. Failure to comply, after an initial warning, shall merit a fine of \$50.00. In addition, failure to comply after one (!) warning is cause for said fine whether or not the failure or subsequent failures are contemporaneous in time with the initial warning*

**EXPLANATION:** *The municipal officers of the Town of Ogunquit have determined that banning smoking and the improper disposal of tobacco products in Ogunquit beach areas is necessary to protect the health, safety and welfare of Ogunquit residents and visitors.*

**101210-06** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve the Warrant for the November 2, 2010 Special Town Meeting as written: approved 5-0.

**8.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP**

**8.1 Public**

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

**8.2 Select Board**

**Selectman Simonds** – voiced concern about pedestrian traffic, especially Shore Road, Perkins Cove and Beach Street.

**Selectman Cavaretta** – drove down Rt. 1 today with Town Manager to review areas that sidewalks would be viable with the funds that are available.

Selectman Tramuto – reminded the Select Board that the Charter calls for a mid-year report in October; he will start working on this.

8.3 **Town Manager**

**Adirondack Chairs** – Mr. Fortier stated that the Adirondack chairs and mahogany benches at the beach are being provided by Scott Masi owner of *Chairman of the Board*. The town has not purchased them, just trying out the idea to see if people will enjoy them and to get feedback.

**Town Audit** – the town audit has just been completed...the town passed with excellence. There were no deficiencies noted.

**Revenues** – Beach parking revenues are up \$250,000. Revenues across the board in departments are doing really well; 75% town-wide. With seven months to go, the town is \$500,000 away from meeting projected revenues.

**Town Bathrooms** – As of Columbus Day, Moody Beach, Footbridge and Main Beach bathrooms have been closed. Portable toilets will be delivered to the Main Beach. A comprehensive survey needs to be done regarding the condition of the bathrooms and what upgrades are needed.

**Transfer Station** – As of November 1, 2010 the Transfer Station will be observing winter hours (closed on Wednesday and Thursday).

**Berwick Road** – Grinding work on Berwick Road should be starting this week.

**Dog Park** – The Dog Park is moving forward. Selected trees are being cleared for the installation of a fence. Security cameras will be installed on the attendants' booth at the Transfer Station. Tony Murno, Martin Crosby and Marjorie Katz have been instrumental in moving this project along.

**Fuel Station** - The new fuel station, located at the Transfer Station, is now automated and will respond only to a key system; linked to the last four digits of a person's Social Security number.

**Sidewalks** – Monies from the bond bank (\$2.2M) should be received in the town's accounts by the end of the month. Mr. Fortier stated that he is working with the MDOT to determine Right-of-Ways to finalize the design of the project.

**Parks & Recreation** – Every Wednesday, Parks & Recreation Director Jen Ewing, holds a walk session at 10:00am for anyone that is interested. Cribbage will be starting on Sundays at 2:00pm at the Dunaway Community Center.

**Crutches 4 Africa** – There is a need for crutches, canes, walkers, etc. If anyone has some that they wish to donate, there is a box at the Dunaway Community Center. The town is working with Rotary to gather these items.

**9.0 ADJOURNMENT**

Motion made by Graham Simonds and second by Phil Cavaretta to adjourn the meeting at 6:47pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager