



**SELECT BOARD  
MEETING MINUTES  
DECEMBER 6, 2011**

**1.0 CALL TO ORDER**

Meeting was called to order at 6:00pm

Members present: Donato Tramuto, Chairman  
Chris Jarochoym, Vice Chair  
David Barton  
Barbara Dailey  
Bob Winn

Others present: Thomas A. Fortier, Town Manager

**OUT OF ORDER** - Charles Dahill requested that 8.6 be moved to after the Pledge of Allegiance as the first order of business, after discussion it was agreed to move this item to the first order of business under NEW BUSINESS.

**2.0 PLEDGE OF ALLEGIANCE**

Those in attendance recited the Pledge of Allegiance.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

3.1 November 15, 2011 – meeting minutes were approved as amended with the revised notation on page 7.

**4.0 TOWN MANAGER'S REPORT**

It's beginning to look a lot like the Holidays here in Ogunquit. Thank you to all who have helped with the festive motif. Jackie Bevins and the Holiday tree at Veterans Park, the Chamber of Commerce, Public Works, and of course all of the businesses and home owners that take pride in their property.

A **Marginal Way Fundraiser** was held at Bintliff's Sunday night which brought in over \$20,000 in donations. Police Chief Arnaudin and I were the judges for the meatloaf contest.

**Town Audit** - You have all received copies of the Town audit. There were no deficiencies and the Town is in good shape financially and procedurally.

**Copier Contract** - The town has entered into a new contract with BEU and has saved nearly 6 cents a copy. We combined our contract with the Town of Wells and the Wells-Ogunquit School Department and went from 9 cents a copy down to 3.75 cents. We have also upgraded our equipment at no additional fees.

**Budget Review** – the budget is doing fine except for Fire Department which has been hit with significant overtime issues.

**Revenues** - need to start looking at revenues and I will be proposing some minor fee changes which will add monies to our revenue accounts.

**Wells Town Manager, Jon Carter** - Mr. Fortier will be meeting with Mr. Carter later this week to explore cooperative programming that may assist both towns.

The town has purchased an **Archival Software** program and we will begin digitally storing town records. The staff has been working on organizing the downstairs storage area.

The **Special Town** meeting on January 17, 2012 requires 197 votes for passage of articles.

We continue to work toward consolidating and **moving Land Use** services to Dunaway Community Center. This will cut expenses significantly, improve communication and accountability, provide one stop shopping for residents, and possibly create a revenue source (rental of current land use building).

The staff at Land Use is also **archiving files** to convert to digital and to eliminate file cabinets.

The **Conservation Commission** will be asking the Select Board for a donation of a piece of Town owned land near the Transfer Station to be placed as an article on this June's town meeting warrant. They will present this to the Select Board soon.

A special thank you goes out to resident **Doug Mayer** for assisting the Town with a very comprehensive Risk Assessment Matrix for Maine Healthy Beaches.

**Fire Department wages** (overtime) are approximately \$45,000 over run. There are two firefighters out on medical leave.

**Two new Firefighters/Paramedics** have been hired and will start next week.

**Engine 31** is currently out of service with unanticipated repairs (\$7,800)

**Harbormaster Fred Mayo** has provided holiday lights on the Perkins Cove Bridge for the second consecutive year. Many people have commented how nice it looks. Also note that the bridge has stayed down year round as opposed to being lifted and unused the entire winter. Again, this change in protocol has made a lot of residents happy.

The **Perkins Cove Bridge** is showing signs of rot in its structural beams. We are addressing this issue swiftly and have had engineers looking at it to rule out any immediate safety concerns. Mr. Mayo has applied for a **State Grant** to assist with the cost. Early indications are that we will be receiving the grant monies (\$10,000).

Maintenance Director Cliff Marchant and Harbormaster Fred Mayo hope to renovate the **Perkins Cove bathrooms** this winter. Mr. Marchant is currently working on the downstairs kitchen renovations.

**Town of Berwick** has approached us to consider joining their dispatch services. I will look at the functionality and cost savings potential.

A significant **one-car accident** occurred on Route 1/Captain Thomas Road last Friday night. Police and Fire responded as they did earlier in the week on Berwick Road (York) to an apparent vehicle/tree fatal.

A new, regulation size **skating rink** will be erected in the Cottage Street Parking lot. The smaller "kids" rink will also be at the OVS lot.

The Parks and Recreation Director will update you later on in the meeting on activities and future planning. The **Tennis Courts** at Agamenticus will be a focus for this spring. We will also look at the **Skate Park's** functionality, appearance, and use.

The Town of Ogunquit was recognized as **#1 in recycling (47.9%)** for the month of November. The Town of Falmouth had been the reigning champion.

The Transfer Station will be **open on December 26th** despite being a holiday. If it was not open that Monday, it would be 6.5 of 9 days that the Transfer Station would be closed during that stretch. The **Town Offices will be closed** on Monday, December 26, 2011.

Town staff has painted out the Police Station. They have also painted the bathrooms at the Dunaway Center. We continue to work toward modernizing the facilities at the Dunaway and will soon be replacing the trim and baseboard.

Staff will be developing a "**Road Opening Permit**" policy. The Town has and will continue to upgrade roads throughout town and we will be asking contractors, developers, Water and Sewer Districts that need to rip into the road for utilities etc., to reimburse the Town for repairs equal to the original standard.

The revision of the **Personnel** manual is still in process.

The **Zoning Ordinance** needs updating, clarification and a comprehensive review.

#### EVENTS:

12/7 Wednesday, 7:30-9:30am Village Market "Coffee Talk" Police Department

12/7 Wednesday at Jonathans ~ Rotary Luncheon 12:00-2:00pm

12/10 Saturday, Christmas Parade at 3:00pm, the parade starts at Main Beach and ends at Perkins Cove. Grand Marshall is John Miller, Chamber Citizen of the Year.

12/13 Boards and Committees Holiday Luncheon at Dunaway 12:00-2:00pm

12/15 Parks and Recreation Coffee and Donuts 9:00am Downstairs Dunaway Center

## 5.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

### 5.1 Committee Resignation – *Ogunquit Performing Arts*

**120611-01** Motion made by Robert Winn and second by Chris Jarochoym to accept the resignation of Lisa Aubin as a member of the Ogunquit Performing Arts Committee; approved 5-0.

A letter of recognition will be sent by the Town Manager.

### 5.2 Committee Resignation – *Wells-Ogunquit CSD*

**120611-02** Motion made by Robert Winn and second by Barbara Dailey to accept the resignation of John Eliopoulos as a member of the Wells-Ogunquit Community School District Board of Trustees; approved 5-0.

A letter of recognition will be sent by the Town Manager.

### 5.3 Committee Appointment – *Recycling Committee*

**120611-03** Motion made by Chris Jarochoym and second by Robert Winn to approve the appointment of Mike Lynch as 1<sup>st</sup> Alternate to the Recycling Committee, term expiring June 2012, approved 5-0.

## 6.0 PUBLIC HEARINGS, PRESENTATIONS

Motion made by Robert Winn and second by Barbara Dailey to open the public hearing at 6:22pm, approved 5-0.

### 6.1 Bintliff's - *Malt, Spirituous and Vinous License Renewal*

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no public comments regarding the application.

**120611-04** Motion made by Robert Winn and second by Barbara Dailey to approve the Malt, Spirituous and Vinous license renewal for Bintliff's; approved 5-0.

### 6.2 Bintliff's – *Amusement License Renewal*

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no public comments regarding the application.

**120611-05** Motion made by Barbara Dailey and second by Robert Winn to approve the Amusement license renewal for Bintliff's; approved 5-0.

6.3 Westmeadow Pub - Malt, Spirituous and Vinous License Renewal

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no public comments regarding the application.

**120611-06** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous and Vinous license renewal for Westmeadow Pub; approved 5-0.

6.4 Westmeadow Pub – Amusement License Renewal

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no public comments regarding the application.

**120611-07** Motion made by Chris Jarochoym and second by Robert Winn to approve the Amusement license renewal for Westmeadow Pub; approved 5-0.

6.5 Lobster Dash Presentation – Charlie Farrington

Mr. Farrington was in attendance to present funds to Ogunquit Parks & Recreation for the Skate Park. Erin Latulippe, Chair of the Parks & Recreation Committee accepted the check on behalf of the committee and the Parks & Recreation Department. \$\$\$\$

Mr. Farrington also presented a check to Brad Kenney, Executive Director, Ogunquit Playhouse, in the amount of \$500 to the Ogunquit Playhouse Children's Theater; and another check will be given to the Wells-Ogunquit CSD in the amount of \$500 for the Ogunquit Scholarship fund.

6.6 Parks & Recreation Presentation & Update – Jennifer Ewing, Director

Ms. Ewing gave a PowerPoint presentation regarding past, present and future activities and plans of the Parks & Recreation Department.

6.7 Maine Healthy Beaches – Michael Horn, Conservation Commission Chair

Sarah Mosley, Coordinator for the Maine Healthy Beaches, University of Maine Cooperative Extension Sea Grant was in attendance to give a PowerPoint presentation regarding Ogunquit's watershed and the issues the affect Ogunquit's beaches.

**David DesMarais, 615 Main Street** spoke to the Select Board about the amendment to Title X, Article 7 of the Ogunquit Municipal Code regarding the sale of live lobsters and how it relates to outside sales.

Motion made by David Barton and second by Barbara Dailey to close the public hearing at 7:45pm; approved 5-0

A five minutes recess was taken by the Select Board.

**7.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

- 7.1 Route 1 Sidewalk Construction Updates – *Thomas A. Fortier, Town Manager*  
Update from the Town Manager regarding the status of the Route 1 Sidewalk Project

On November 6<sup>th</sup> a site walk was held with the Maine Department of Transportation. In attendance were Chris Jarochym, David Barton and Town Manager Fortier. Mr. Fortier stated that the state is in the design stage at this point. He stated the MDOT has informed him that work will be done in 2013. Since the Town needs to spend stimulus money by the end of 2012, he has communicated with the state regarding the possibility of breaking the project down into three phases. If this was done, the town would take responsibility for Phase 1, thereby using the stimulus money and the state would be responsible for Phase 2 and 3.

- 7.2 Special Events Ordinance – *Chris Jarochym, Select Board Member*  
To review the status of the Special Events Ordinance Analysis

Selectman Jarochym stated that there was a lack of clarity around this topic at the last meeting of the Board. He also reported that he, with the assistance of Barbara Dailey, have spoken about this issue with residents of the town to get a history of the ordinance.

The original purpose was to have activities in the off-season to promote visitors coming to town. Selectman Jarochym recommended that the Board go forward with the ordinance as it stands and continue to work on revisions on the ordinance (i.e. outline categories, town events, limited events, special events, etc.)

At the same time will be addressing signage that is in the ordinance(s) and how it relates to the events. They will craft a revision over the next couple of months to present to the voters on the June Annual Town Meeting warrant. They will also address competing ordinances that are not in sync.

**8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS**

- 8.6 Draft “Use of Town Parking Policy by Non-profits” – *Thomas A. Fortier, Town Manager*

The Town of Ogunquit will not entertain requests for the use of the Main Beach and Perkins Cove Municipal parking lots for the time period from Memorial Day to Labor Day (Defined as "In Season"). The use of the other town operated lots, however, may be requested and approved/disapproved by the ~~Select Board and/or~~ Town Manager.

The ~~Select Board and/or~~ Town Manager will have the discretion to approve or disapprove the use of any and all other Municipal parking lots during the “off season”, defined as September to May.

**120611-08** Motion made by Robert Winn and second by David Barton to approve the policy as written, but eliminating “by Select Board” and continue with Town Manager; approved 5-0.

- 8.1 Recreational Trails Program Grant – *Thomas A. Fortier, Town Manager*

To authorize the Recreational Trails Program grant project application for the purpose of paving and repairing areas along the Marginal Way.

**120611-09** Motion made by David Barton and second by Barbara Dailey to authorize the Recreational Trails Program Grant application for the purpose of paving and repairing areas along the Marginal Way; approved 5-0.

8.2 Draft and Finalization of Fireworks Ordinance – *Thomas A. Fortier, Town Manager*  
To review and finalize the Fireworks Ordinance for placement on the January 17, 2012 Special Town Meeting Warrant

**120611-10** Motion made by Robert Winn and second by Chris Jarochoym to accept the Title II, Health, Safety & Welfare - Fireworks Ordinance as written; approved 5-0.

8.3 Draft and Finalization of Warrant Articles for the January 17<sup>th</sup> 2012 Special Town Meeting

Discussion was held regarding the Fire Department’s requests for funding. The Select Board’s consensus was to have the Fire Chief manage within the budget that he has.

Chairman Tramuto requested that the Fire Chief work with the Chairman of the Budget Committee and Town Manager to come up with a plan.

8.4 Order for the January 17, 2012 Special Town Meeting

**120611-11** Motion made by David Barton and second by Barbara Dailey to accept Article 1 and Article 2 as read and to delete Articles 3, 4 and 5; approved 5-0.

We the undersigned municipal officers, hereby order that the following article(s) be placed on the ballot as questions to be presented to the voters at the Special Town Meeting to be held on **Tuesday, January 17, 2012**, 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, “**Town of Ogunquit Fireworks Ordinance**” be enacted? [Note: The adopted ordinance will be made a part of Title II (Health, Safety & Welfare) as **Chapter 12 – Fireworks Ordinance**.

8.5 CIP – Short & Long Term Goals – *Thomas A. Fortier, Town Manager*

Town Manager Fortier explained that the goal of all departments is to be pro-active in good management by developing plans to encompass a five year range. The document presented to the Select Board is a projection of what is needed over the next few years.

**9.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UPS****9.1 Public Input**

**Doug Mayer** – suggested that a workshop be held on Robert’s Rules for all boards and their members.

**Selectman Comments**

**Selectman Barton** – wished to yield the floor to Samantha Stevens, Spirit of Giving volunteer. Samantha commented on the “Spirit of Giving” event that was held at Maine Street last weekend.

**Selectman Dailey** – no comments.

**Selectman Winn** – stated that he was very appreciative of people who spoke tonight, it was really constructive. He stated that at last meeting he had mentioned that he would like to name clam flats after “Isabel Lewando”. (This item will be placed on the next agenda.)

**Selectman Jarochoym** – stated that he had attended the MMA workshop for Elected Officials; it was also attended by board members Barton, Dailey and Winn. The information was valuable, provided good insight. He stated that he had attended *Christmas by the Sea* events this past weekend.

**Chairman Tramuto**

- Read MMA policy regarding public participation.
- Encouraged the public to call Select Board members regarding agenda items before the meeting.
- Annual report – due by the end of the month.
- Holiday party for boards and committees is being held December 13<sup>th</sup>, encouraged Select Board members to attend.
- Impressive updates from Town Manager!
- Requested that public input be inserted at the beginning of agenda and at the end of the agenda.

**10.0 ADJOURNMENT**

Motion made by Robert Winn and second by Chris Jarochoym to adjourn the meeting at 9:33pm, unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager