



**OGUNQUIT SELECT BOARD
MEETING MINUTES
AUGUST 13, 2013**

1.0 EXECUTIVE SESSION – 5:15PM

Union Negotiations (Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.D)

Motion made by David Barton and second by John Daley to enter into Executive Session at 5:15pm; approved 4-0.

Motion made by David Barton and second by John Daley to come out of Executive Session at 5:47pm; approved 4-0.

No decision was made during the Executive Session.

2.0 COMMITTEE INTERVIEWS – 5:45PM

2.1 John Ross – was present for an interview with the Select Board regarding his application for a Committee/Board Member.

3.0 CALL BUSINESS MEETING TO ORDER

Business Meeting called to order at 6:03pm

Members present: Barbara Dailey, Chair
Chris Jaroachim, Vice Chair
David Barton
John Daley
Robert Winn, Jr.

Others present: Thomas A. Fortier, Town Manager

4.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Selectman Winn.

5.0 REQUEST TO APPROVE SELECT BOARD MINUTES

5.1 July 16, 2013 – The minutes of the July 16, 2013 Select Board meeting were approved as submitted.

6.0 TOWN MANAGER'S REPORT

(From the web page report from the Town Manager):

Selectman Jarochym and I met with **The Maine Department of Transportation** on 08/07/13 and discussed the final design plans for the Route 1 project. We also discussed the cost and feasibility of putting the utility lines underground, especially in the center of town. The Municipality has committed to the MDOT total funding up to but not exceeding two million dollars (\$2,000,000.00). The Department acknowledges that the estimated town share shall be used for sidewalks, street lights, and other amenities.

The town also reached an agreement with MDOT that abutters to the Project may request additional work that represents betterments over and above the contemplated additional work requested. In other words, if the sidewalk calls for asphalt, and an abutter wants bricks, the abutter can pay for the additional charges and make it a reality. This is a great opportunity that I am proud to tell you more about.

Staff is proposing a new **mil rate of \$7.50 per thousand**, up from \$7.31 or .19 cents per \$100,000. What this means for the average tax payer is a \$95.00 increase on a tax bill of \$500,000 (Assessed Home Value).

Chair Barbara Dailey and I met with the Chamber of Commerce to discuss the July 4th Fireworks. It was a trouble-free event and well managed by staff. However, the communication between the Chamber events and the town staff is imperative. The impact of such events on the town infrastructure was also discussed.

Department of Public Works:

The Footbridge Beach ramp received a wooden extension that improves mobility and access to the beach.

FEMA has approved \$89,711 for past storms. Thank you to Cheryl Emery and staff for their documentation and ability to recoup these expenses for the town.

The Town of Ogunquit has leased two "*Big Belly*" single station compactors that should arrive any day. The plan is to put these trash compactors at Main Beach. Hopefully, this will eliminate the need for several trash cans and also eliminate the need to make excessive trips by town trucks to empty the trash cans. These "*Big Belly*" compactors can hold up to 150 gallons of trash and only need to be emptied when a signal is sent to Public Works.

An update on the New Public Works Building:

- The building has been ordered and is being assembled (\$555,555); this includes electrical, et al.
- An engineering stamp of approval on load capacity for foundation work has been obtained.

- The septic system location has been specified and designed.
- The surveying and documentation of wetlands has been completed by Post Road Surveying.
- The existing well has been tested by Dunbar for flow and capacity and has been deemed adequate.
- Four bids were solicited for the Site Plan Design. We have secured the services of Attar Engineering at a cost of \$8,490.
- Once the Site Plan Design is complete, we will submit an application to Planning Board.
- The total expense on this project to date: **\$609,039**
- The total Project Funded: **\$790,000**

Parks and Recreation:

The Ogunquit Village School received some touch-ups last week. The foundation was painted and the playground was upgraded with playground chips.

A new water fountain has been installed at the Dunaway Community Center.

Harbor Master:

The Department of Marine Resources has advised that the European Green Crab is an invasive species that can devastate shellfish like clams and mussels. This crab is a threat to commercial shellfish resources like clams and mussels.

Perkins Cove has taken in \$1600 in docking fees, surpassing YTD figures.

Code Enforcement/Land Use Department:

A Planning Board workshop will take place at **4:00 p.m. on Monday August 26th** to discuss possible amendments to the existing town ordinance. Keep a look out for upcoming agendas for more specific information. This workshop will run from 4:00 p.m. to approximately 5:30 p.m. and will precede the regularly scheduled Planning Board meeting.

Property owners, town staff, the Conservation Committee and the Ogunquit Sewer District have been instrumental in performing significant upgrades to sewer line replacements at the location near Wharf Lane Bridge. The water quality at Riverside Beach has been a concern in past years, and hopefully we have found and corrected the source. The State DEP Water Quality Division is very pleased with our efforts, describing Ogunquit as “proactive”

The Code Officer and Fire Chief would like to remind everyone that the Ogunquit Zoning Ordinance, Article 8, Section 8.2 states "No unreasonable odor, dust or smoke shall be detectable beyond the property line", this includes open recreational fires.

It has been determined that Israel Head Road has received significant damage secondary to new construction of the residential home(s) in that vicinity. The Code Enforcement Officer will not issue an occupancy permit until these damages are rectified.

A business owner has been issued a written, certified letter/warning for "soliciting." This is the first of many that may follow if the current trend of "pushing the limits" on our ordinances continue. These ordinances are created by the residents (Planning Board, Select Board) and are regulated by town staff. The idea is to have a level playing field for all involved, and it also shapes how we want our community to look and feel. Please respect our ordinances.

Visitor Services:

Cindy Douglas has assumed additional duties as a Beach Monitor. Cindy is on the beach 5:00am-10:00am and then again at 4:00-6:00pm. We are using Reserve Police Officer funds for the position. I would also like to use a Visitor Services staff person to act as a "Meter Maid" and peruse Upper Lot, Jacobs Lot, and Main Street for parking violations. This will alleviate the Police Officers from having to perform such duties and allow our Officer's to focus on more important issues.

The YTD Parking Revenues are at \$642, 500 and up approximately \$30,000 YTD 2012 (remember that last year was a record year!).

We have recorded credit card use for parking at \$5,100 (-2% fees)

Fire Department:

Fire Chief O'Brien has been working day shifts as we are down one firefighter. This helps control overtime costs.

Firefighter/Paramedic Bob Bernard, Shannon Bridges and Chief O'Brien attended a conference in Baltimore, Maryland.

Police Department:

Selectman Barton rode along with the police from midnight to 2:00am on a recent Saturday night. Officer Neal Pawlik showed Selectman Barton, first hand, the duties of a Police officer on a Saturday night in Ogunquit. Selectman Barton expressed that it was very insightful and that he was impressed with the professionalism of our Police Department.

YTD arrests are up from 69 a year ago to 106 this year.

The calls for police service are also up: 3,512 last year to 3,916 this year.

These statistics are from January 1, 2012 – August 7, 2012 and January 1, 2013 – August 7, 2013. Unfortunately, there appears to be an upward trend and the numbers will keep growing.

Sergeant Matt Buttrick and Officer Alex Smith sponsored a Liquor Compliance seminar at the Dunaway Community Center of which 45 local bartenders and owners attended.

Town Clerk/Finance:

The Town has completed the capital financing via the 2013 general bond schedule application, which was due on 08/01/13. This type of financing (\$443,000) allows the town to take advantage of the bond banks high investment grade rating, low interest rates and reduced issuance and post insurance costs.

Deputy Town Clerk Lauren Stevenson attended an all day workshop in Augusta. The workshop featured “Municipal Elections” sponsored by the Maine Municipal Association.

The 2012 Annual Town report is now available at Town Hall. Stop in and pick one up soon!

The annual town audit is complete; the accounting firm Smith and Associates performed the review.

Staff has purged/shredded over 70 cases of documents this past week in an ongoing effort to organize municipal documents and to have documents accessible electronically. It is a long and tedious process.

Unfinished Business:

The York County Budget Committee has requested assistance from York County towns to create a legal fund. They are estimating \$15,000 in legal costs in their battle with the York County Commissioners. The County Commissioners have taken the position that votes by the Budget Committee are “voidable”, and in essence, irrelevant. This has real consequences for municipalities because the Budget Committee represents the towns. Our Select Board will need to vote soon on whether or not “we have a dog in this fight.”

Upcoming Projects:

- Replace Dunaway Center Roof
- Replace Main Beach Bathroom Roof
- Replace Winn House Roof
- Rehabilitate Perkins Cove Bathroom

7.0 PUBLIC INPUT

There was no input from the Public in attendance.

8.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

8.1 Reappointment – Leonard Wyman, Shellfish Conservation Commission

081313-01 Motion made by David Barton and second by Robert Winn to approve the appointment of Leonard Wyman as a member of the Shellfish Conservation Commission, term to expire June 30, 2016; approved 5-0.

8.2 New Appointments

This agenda items was postponed until the next meeting of the Select Board.

9.0 PUBLIC HEARINGS, PRESENTATION

Motion made by Chris Jarochoym and second by Robert Winn to open the public hearing at 6:50pm; approved 5-0.

9.1 Post Road Tavern – Malt, Spirituous & Vinous Liquor License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments or questions from the public in attendance.

Representation was present from Post Road Tavern.

081313-02 Motion made by Chris Jarochoym and second by Robert Winn to approve the Malt, Spirituous & Vinous License Renewal for Post Road Tavern; approved 5-0.

9.2 Post Road Tavern – Amusement License Renewal
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments or questions from the public in attendance.

081313-02 Motion made by Chris Jarochoym and second by Robert Winn to approve the Amusement License Renewal for Post Road Tavern; approved 5-0.

9.3 Ogunquit Watershed Plan Grant Process – Michael Horn, Conservation Commission Chair

Presentation by Emily DiFranco, FB Environmental, regarding the grant process for the Ogunquit Watershed Plan

A PowerPoint slide presentation was given by Emily DiFranco. Ms. DiFranco fielded questions from the Select Board regarding the grant process. She stated that she needed approval from the Select Board before moving forward with the grant application.

It was the unanimous consensus of the Select Board to progress forward with the grant application.

9.4 Select Board Priorities – *Barbara Dailey, Select Board Chair*

To allow public comments and questions regarding the proposed Select Board Priorities for FY 2013-2014

The Select Board opened to the public for questions or comments regarding the presentation at the last meeting.

Question by:

- Marjorie Katz, re: Beach Committee.

9.5 General Assistance Ordinance – Appendices A – *Thomas A. Fortier Town Manager*

To allow public comments and questions regarding the adoption of Appendices A, General Assistance Overall Maximum Levels of Assistance for the Town of Ogunquit (Title II of the Ogunquit Municipal Ordinance)

There were no comments or questions from the public.

9.6 General Assistance Ordinance – Appendices B-F – *Thomas A. Fortier Town Manager*

To allow public comments and questions regarding the adoption of Appendices B-F, General Assistance Food Maximums, Housing Maximums, Utilities, Heating Fuel, Personal Care and Household Supplies for the Town of Ogunquit (Title II of the Ogunquit Municipal Ordinance)

There were no comments or questions from the public.

Motion made by Robert Winn and second by Chris Jaroachim to close the public hearing at 7:24pm; approved 5-0.

10.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS

There were no Unfinished Business items before the Select Board.

11.0 ADMINISTRATIVE ITEMS – NEW BUSINESS

11.1 13th Annual Ogunquit Beach Lobster Dash – *Charlie Farrington*

Select Board action on a request for free use of the Main Beach Parking Lot for the September 21, 2013 event

This item was tabled until the next meeting of the Select Board.

- 11.2 FY 2013-2014 Tax Rate – *Thomas A. Fortier, Town Manager*
Select Board review and action on the tax mil rate for July 1, 2013 to June 30, 2014

081313-03 Motion made by John Daley and second by Robert Winn to set the mil rate for July 1, 2013 to June 2014 at .00750 with an overlay of \$16,431.04; approved 5-0.

- 11.3 Administrative Services Pick-up RFP – *Thomas A. Fortier, Town Manager*
Select Board review and action on the bids received for the Administrative Services Department Pick-up

081313-04 Motion made by Robert Winn and second by Chris Jarochem to approve the bid from Rowe Ford for the 2014 Ford F350 in amount of \$25,725; approved 5-0.

- 11.4 Transfer Station Backhoe RFP – *Thomas A. Fortier, Town Manager*
Select Board review and action on the bids received for the Transfer Station Department Backhoe

John Fusco was present to give the reasoning for the choice of machine, since it was not the low bid.

081313-05 Motion made by Robert Winn and second by David Barton for the purchase of a CAT 420F IT Backhoe from Milton CAT for \$92,000; approved 5-0.

- 11.5 General Assistance Ordinance – Appendices A – *Thomas A. Fortier Town Manager*
Select Board review and adoption of Appendices A, General Assistance Ordinance, (Title II of the Ogunquit Municipal Ordinance)

081313-06 Motion made by John Daley and second by Robert Winn to approve Appendices A as presented; approved 5-0.

- 11.6 General Assistance Ordinance – Appendices B-F – *Thomas A. Fortier Town Manager*
Select Board review and adoption of Appendices B-F, General Assistance Ordinance, (Title II of the Ogunquit Municipal Ordinance)

081313-06 Motion made by John Daley and second by Robert Winn to approve Appendices B-F as presented; approved 5-0.

12.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATION FOLLOW-UP

- 12.1 Public

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

12.2 Select Board

Selectman Barton

- Gave an overview of his ride- a-long with Officer Pawlik, Ogunquit Police Department, on August 3rd.

Selectman Daley

- Comment about the beach revenues and subsidization of departments.

Selectman Jarochym

- Thank you to the people in town for their patience with traffic this summer.
- Thank you to the people who come to meetings and contacting Select Board with issues.

Chairwoman Dailey

- Read correspondence from Lesley Mathews –re: increase policing on skateboards, etc.
- Lot of activity here in town, seems more striking than last year.
- Commented on the need for police in terms of calls this year.
- Big thank you to our volunteers.

A five minute break was taken at 8:01pm by the Select Board prior to the workshop meeting.

13.0 WORKSHOP – SELECT BOARD PRIORITIES AND ADMINISTRATIVE ISSUES

The Select Board met in workshop to discuss Select Board Priorities and Administrative Issues.

14.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager