



**SELECT BOARD  
MEETING MINUTES  
APRIL 27, 2011**

**1.0 CALL TO ORDER**

Meeting called to order at 5:02pm.

Members present: Donato Tramuto, Chairman  
Phil Cavaretta, Vice Chairman  
Jacqueline Bevins  
Robert Winn

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**

No minutes were available for approval.

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

**4.1 Board of Assessment Review – Interim Appointment**

**042711-01** Motion made by Phil Cavaretta and second by Robert Winn to appoint Thomas Hagerty to the Board of Assessment Review as an Interim Member to fill the vacant seat for one appeal hearing only; approved 4-0.

**5.0 PUBLIC HEARINGS, PRESENTATION**

**5.1 Public Works Facility Presentation**

Stillman Bradish was in attendance to present to the Select Board proposed costs for a new Public Works Facility to be located on Salt Shed Drive in Ogunquit.

**6.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS**

**6.1 FY 2011-2012 Budget - Donato Tramuto, Select Board Chair**

Select Board vote on Final Budget Recommendations for Fiscal Year 2011-2012

**042711-02** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$688,966 for General Government** expenditures; approved 4-0.

- 042711-03** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$42,361 for Parks & Recreation** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-04** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$313,718 for Land Use Department** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-05** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$1,419,461 for Police Department** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-06** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$1,218,307 for Fire-Rescue Department** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-07** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$185,750 for Utility** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-08** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$816,965 for Public Works** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-09** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$404,788 for Transfer Station** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-10** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$98,367 for Harbormaster** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-11** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$3,000 for General Assistance** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-12** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$116,239 for Insurance** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-13** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$320,418 for Administrative Services Department** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-14** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$13,512 for Conservation** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-15** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$21,039 for Information Services** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

- 042711-16** Motion made by Phil Cavaretta and second by to approve **\$500 for American Legion** expenditures for the 2011-2012 Annual Town Meeting Warrant; 4-0.
- 042711-17** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve \$250 for Caring Unlimited expenditures for the 2011-2012 Annual Town Meeting Warrant; Cavaretta and Bevins in favor, Tramuto and Winn in opposition; 2-2, motion fails.
- 042711-18** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$0 for Caring Unlimited** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-19** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve \$500 for Child Abuse Prevention expenditures for the 2011-2012 Annual Town Meeting Warrant; Cavaretta in favor, Bevins, Tramuto and Winn in opposition; 1-3, motion fails.
- 042711-20** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$0 for Child Abuse/Prevention** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-21** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve \$1,000 for Counseling Services of York, Inc. expenditures for the 2011-2012 Annual Town Meeting Warrant; Cavaretta and Bevins in favor, Tramuto and Winn in opposition; 2-2, motion fails.
- 042711-22** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$0 for Counseling Services of York, Inc.** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-23** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve \$1,000 for Frannie Peabody Center expenditures for the 2011-2012 Annual Town Meeting Warrant; Cavaretta and Bevins in favor, Tramuto and Winn in opposition; 2-2, motion fails.
- 042711-24** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$0 for Frannie Peabody Center** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-25** Motion made by Robert Winn and second by Donato Tramuto to approve **\$0 for Home Health Visiting Nurses** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 3-1, Cavaretta in opposition.
- 042711-26** Motion made by Robert Winn and second by Jacqueline Bevins to approve **\$0 for Hospice of York** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 3-1, Cavaretta in opposition.
- 042711-27** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$1,800 for the care and maintenance of area Cemeteries** for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

- 042711-28** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$15,000 for Ogunquit Performing Arts** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-29** Motion made by Robert Winn and second by Jacqueline Bevins to approve **\$0 for Southern Maine Area Agency on Aging** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 3-1, Cavaretta in opposition.
- 042711-30** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$5,000 for Wells-Ogunquit Historical Society** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-31** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve \$500 for Wells-Ogunquit Youth Baseball expenditures for the 2011-2012 Annual Town Meeting Warrant; Cavaretta in favor, Bevins, Winn and Tramuto in opposition; 1-3, motion fails.
- 042711-32** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$0 for Wells-Ogunquit Youth Baseball** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-33** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$699,977 for Debt Management** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-34** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$20,000 for Unemployment Reserve Account** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-35** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$20,000 for Accrued Liabilities** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-36** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$5,000 for Union Contracts and Salary Adjustment** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-37** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$10,000 for General Government Town and Beach Sign** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-38** Motion made by Phil Cavaretta and Robert Winn to approve **\$3,500 for Parks & Recreation Tennis Court Restoration work** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-39** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$29,000 for Police Department Cruiser** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-40** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$75,000 for Fire Department Ambulance Replacement** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

- 042711-41** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$165,000 for Public Works Department Paving Capital Reserve Account** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-42** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$75,000 for Public Works Department Sidewalk Snowblower** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-43** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$60,000 for Public Works Department One-ton Dump Truck with Plow and Sander** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-44** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$90,000 for Public Works Department Front-end Loader** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-45** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$45,000 for Transfer Station Department Backhoe** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-46** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$20,000 for Harbormaster Department Perkins Cove Chains and Moorings** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-47** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$10,000 for Land Use Department Office Heat and Air Unit** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-48** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$8,000 for Police Department Office Heat and Air Unit** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-49** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$10,000 for Administrative Services Department Electrical Update to the Dunaway Community Center** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-50** Motion made by Phil Cavaretta and second by Jacqueline Bevins to approve **\$650,000 for a new Public Works Department Facility** expenditure for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.
- 042711-51** Motion made by Phil Cavaretta and second by Robert Winn to approve **\$25,000 for Land Conservation Reserve Fund** expenditures for the 2011-2012 Annual Town Meeting Warrant; approved 3-1, Tramuto in opposition.
- 042711-52** Motion made by Phil Cavaretta and second by Robert Winn to approve a **\$350,000 Transfer from Undesignated Fund Balance** for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

**042711-53** Motion made by Phil Cavaretta and second by Robert Winn to approve the use of **\$1,350,000 in Parking Revenues** for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

6.2 Title III (Public Service Ordinance), Chapter 4 (Solid Waste) - *Thomas A. Fortier, Town Manager*  
Select Board vote on Amendments to Title III of the Ogunquit Municipal Code

**042711-54** Motion made by Phil Cavaretta and second by Robert Winn to approve Title III, Chapter 4 Amendments as written for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

6.3 Title III (Public Service Ordinance), Chapter 5 (Solid Waste Disposal) - *Thomas A. Fortier, Town Manager*  
Select Board vote on Amendments to Title III of the Ogunquit Municipal Code

**042711-55** Motion made by Phil Cavaretta and second by Robert Winn to approve Title III, Chapter 5 Amendments as written for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

6.4 Article III, Section 310.6 – Mid-Year Report - *Donato Tramuto, Select Board Chair*  
Select Board vote on Proposed Amendment to the Ogunquit Town Charter

**042711-56** Motion made by Phil Cavaretta and second by Robert Winn to approve Article III, Section 310.6 Charter Amendments for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

6.5 Article VI, Section 601 – Composition Wells-Ogunquit CSD Committee - *Donato Tramuto, Select Board Chair*  
Select Board vote on Proposed Amendment to the Ogunquit Town Charter

**042711-57** Motion made by Phil Cavaretta and second by Robert Winn to approve Article VI, Section 601 Charter Amendments for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

6.6 Article VIII, Section 804 – Recall of Elected Officials - *Donato Tramuto, Select Board Chair*  
Select Board vote on Proposed Amendment to the Ogunquit Town Charter

**042711-58** Motion made by Phil Cavaretta and second by Robert Winn to approve Article VIII, Section 804 Charter Amendments for the 2011-2012 Annual Town Meeting Warrant; approved 4-0.

**7.0 ADMINISTRATIVE ITEMS – NEW BUSINESS**

7.1 Citizen’s Petition – *Judy Shaw-Kagiliery, Town Clerk*  
To review petition submitted for amendments to Title VII, Chapter 2, Section 206 regarding Dogs on Ogunquit Beach.

Lesley Mathews was present to address the reasons why the petition was submitted. The Chairman allowed John Mixon, Martin Crosby, Douglas Mayer and Lesley Mathews to speak regarding this issue.

**042711-59** Motion made by Robert Winn and second by Phil Cavaretta to accept the petition as written and place as a warrant article (per Charter) on the 2011-2012 Annual Town Meeting Warrant: Tramuto and Winn in favor, Cavaretta and Bevins in opposition; 2-2, motion fails.

7.2 Grasshopper Lane Drainage Systems Bids - Thomas A. Fortier, Town Manager  
To award bid for the Grasshopper Lane Drainage System Project

The town received the following bids:

Brex Corp.	\$58,440.00
Foglio, Inc.	\$59,979.00
O'Brien Construction	\$67,400.00
Colex, LLC	\$68,499.00
Morrill Excavating	\$70,575.00
Peters Construction	\$74,750.00
Dearborn Construction	\$80,862.00
Emery Aggregates & Excavation	\$88,500.00

**042711-60** Motion made by Phil Cavaretta and second by Robert Winn to accept the bid from Brex Corp. in the amount of \$58,440 for the Grasshopper Lane Drainage System Project; approved 4-0.

7.3 Wells-Ogunquit Odyssey of the Mind Request – Thomas A. Fortier, Town Manager

Due to the Select Board's stance on civic organizations, it was the consensus of the board to not support funding for this request. Chairman Tramuto urged the board to make personal contributions, as that is what he chose to do.

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

8.1 Public

- **Richard Yurko** – comments on voting procedure.

8.2 Select Board

- **Selectman Winn** – thanked Mr. Yurko for his comments

8.3 Town Manager

- Credit Card Point & Pay – working on this for Town Hall transactions.
- Route 1/MDOT – the State has agreed to allocate \$200,000 in engineering and overlay and \$100,000 for bicycle lanes. The Route 1 project has been pushed back until next year.
- FEMA – recently received \$9,700 in FEMA funds.
- Oarweed – rip-rap has been put in place, paving has also been completed.
- Perkins Cove – paving scheduled for next week.
- Main Beach – cement pad for new booth has been installed.
- Awning – new awning at Main Beach has been installed.
- Fire Department/Company – celebrated their 100<sup>th</sup> anniversary recently, received award from Secretary of State Charlie Summers.

- Mooring Chains – inspection has been completed, the chains are at 80% wear.
- Berwick Road – survey is underway, Ogunquit Sewer District will be updating pipes.
- Grasshopper Lane – construction should start within the next couple of weeks.
- Five-Town Collaborative – meeting will be held next month.
- Summer Season – general preparation all over town for the summer season.

**9.0 ADJOURNMENT**

Motion made by Phil Cavaretta and second by Robert Winn to adjourn the meeting at 7:46pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager