



**SELECT BOARD
MEETING MINUTES
SEPTEMBER 1, 2015**

1.0 CALL TO ORDER: 6:00-8:00PM

Meeting called to order at 6:00pm.

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

Others present: Thomas A. Fortier, Town Manager

1.1 Pledge of Allegiance

The Pledge of Allegiance was led by Selectman Latulippe.

1.2 August 4, 2015 Select Board Minutes

The minutes of the August 4, 2015 Select Board meeting were accepted as presented.

1.3 August 18, 2015 Select Board Minutes

The minutes of the August 18, 2015 Select Board meeting were accepted as presented.

2.0 TOWN MANAGER'S REPORT

The Route One project is set to begin again on September 9th; the town will post what will be occurring during the project. There will be a lot of night work to prevent traffic congestion and delays. The next two months will be the most difficult months of the entire project.

The whole coast of Maine has been inundated with seaweed this summer. The town has received many complaints regarding the amount of seaweed on the beach, and also complaints that the town has been removing the seaweed from the beach. There is a 1,500 foot natural beach area which is left untouched. Some seaweed was removed last week, which is legal. The DEP states that it can be removed from the beach as long as it is not a regular occurrence. If it is a regular occurrence, then the town would have to get a permit.

Recycling is free and reduces trash in the waste stream. The Transfer Station can state that the town recycling rate is over 50%; challenged citizens that do not recycle to do so. Ogunquit is one of the few towns in Maine that do not have a pay-per-bag program, would like to be the last town to it. Recycling would assist in that program

Michael "Ski" Hodurski, who was a mechanic for the Town of 16 years, passed away on September 30th, Mr. Fortier expressed condolences to his family.

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

3.1 Contract Assessor for the Town of Ogunquit

090115-01 Motion made by Gary Latulippe and second by Robert Winn to appoint Peter Pawlowski as Contracted Assessor for the Town of Ogunquit, approved 5-0.

4.0 PUBLIC INPUT (Any Topic)

Frank Buckley, owner of two properties in town

- Input on plowing of private drives, great idea but timing is wrong.
- Town equipment needs to be repaired and replaced, every 3-5 years.
- Need to take care of town roads, not plow private roads.

Mark Register, 3 Woodcrest Lane

- Thanked the town for a really good job of plowing last winter.
- Spoke about the value of houses on private roads and public roads.
- Spoke about town employees who should be looking out for the best interest of the town.
- Comments on the law about using public funds on private roads.
- Asked the Select Board to be fair to all residents of Ogunquit.

Bob Kaufman, 8 Woodcrest Lane

- Spoke about the issue of the town plowing private roads.
- Asked that the town be fair and consistent, would like his road plowed.

Priscilla Slotnik, 22 Stoneybrook Drive

- Spoke about the issue of town plowing private roads. Would like to have been given the same opportunity to have her road plowed.

Carol Lawrence, 33 Stoneybrook Drive

- Asked for fairness, as a taxpayer, to get her road plowed.

5.0 PUBLIC HEARING - LICENSE RENEWALS

There were no applications for the Select Board to act upon.

6.0 PUBLIC HEARINGS & PRESENTATIONS

6.1 Wells-Ogunquit Community School District Student Government Program - Thomas A. Fortier, Town Manager

Mr. Fortier recognized that Superintendent of Schools, Jim Daly was present at the meeting.

This is a really exciting program that all are very proud of. A couple of years ago, Maryann Stacy, who is in our Land Use Office, went to the Town Managers office and initiated conversation to get students interested in local government.

Four students participated in the program this summer, one in the front office at Town Hall, one with the Harbormaster and two to work in Public Works. A real emphasis was put on mentoring.

Fred Mayo, Harbormaster, presented Ryan Shackford to the public. Mr. Mayo stated that Ryan is his "right hand man" who was brought on a couple years ago. It has been a learning experience for both of them and he stated that he has the highest regard for Ryan.

John Quartararo, Treasurer and Christine Murphy, Town Clerk, presented Madison Morin to the public. Mr. Quartararo stated that Madison is one of the most mature young ladies that he has had the pleasure of knowing. Madison was shown a whole range of tasks that she easily mastered within a few minutes; she was a delight to have in the office.

Town Manager Tom Fortier presented Nicholas Cousins and Jacob Lareau to the public. Mr. Fortier stated that he thoroughly enjoyed working with the two boys this summer and is very proud of them. Nick and Jake painted all the lampposts in town and on Shore Road, did beach fencing and completed all tasks that were asked of them efficiently.

Superintendent Daly stated that he was extremely proud of the students that participated in the summer program; it was a tremendous opportunity for the kids. Thanked the Town Manager and the town for the opportunity.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

There was no unfinished business before the Select Board.

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

**8.1 Award RFP for Trash Truck - Cliff Marchant, Administrative Services Director
Select Board Action on the Award of the Bid for a New Trash Truck for the Public Works Department**

Cliff Marchant and Jason Hall were in attendance to answer any questions from the Select Board. Jason reviewed the bid that was received.

Town Manager Fortier stated that, it is his vision to have one large canister at Main Beach to deal with the trash. Mr. Fortier asked if the truck that was specified would be able to handle the large trash receptacle. Mr. Hall stated that it wasn't specified in the bid, but it could be retro-fitted to accommodate.

Selectman Winn asked about the difference between a 4WD and 2WD. Mr. Winn asked for a comparison between 4WD and 2WD.

Chair Dailey asked if Mr. Fortier had reviewed outsourcing from a vendor. He stated that he met with Oceanside Rubbish to discuss, but it is not plausible. The service from an outside vendor would not meet the quality provided by the town staff.

Selectman Daley would like to see a preventative maintenance plan on the town vehicles.

Selectman Barton commented on the trade in value that was being allowed. The bid is a manageable number, leaning towards supporting the purchase. Because of the response the town staff, the vehicle is needed.

Selectman Latulippe is in favor, not a proponent of outsourcing trash.

090115-02 Motion made by Gary Latulippe and second by David Barton to accept the bid for \$71,367 from Arundel Ford for the purchase of the trash truck; approved 5-0.

8.2 Plowing of Private Roads - Cliff Marchant, Administrative Services Director
Select Board Policy Review of the Plowing of Private Roads

Town Manager Fortier stated that the reason this is before the Select Board is that there was a request from residents to plow their private road. The Town, in the past, approved the plowing of private roads with an easement. But since this has been brought to light, the issue of the legality of plowing private roads is in question.

According to Maine Municipal Legal Services Department, Amanda Meader, Staff Attorney:

"Under Maine Law it is unquestionably illegal for a town to spend taxpayer money plowing a private road. To do so would be to run afoul of the "public purpose doctrine" that arises out of our state's constitution. A town vote may not override the constitution. The creation of an easement may not override the constitution. There is absolutely no way around this law. Only in the rare instance of an emergency circumstance (fire, illness) may a town run a plow down a road ahead of a fire truck or ambulance to help someone."

Town Manager Fortier stated that an information packet will be put online; also copies will be made available at the town hall. The Select Board will meet with the Town Attorney at the next meeting to discuss the legal ramifications.

8.3 FY 2015-2016 Tax Rate - Thomas A. Fortier, Town Manager
Select Board Action to Set the Tax Mil Rate and Overlay for the 2015-2016 Fiscal Year

Treasurer John Quartararo was in attendance to explain the tax rate and overlay for the coming fiscal year (2015-2016). Mr. Quartararo recommended the tax rate of \$8.07, which would give an overlay of \$26,798.59. This means that a home valued at \$500,000 would have an additional \$155.00 assessed to the taxes.

090115-03 Motion made by Robert Winn and second by David Barton to set the tax mil rate at \$8.07 with an overlay of \$26,798.59 for Fiscal Year 2015-2016; approved 5-0.

9.0 MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP

9.1 Select Board

Selectman Barton

- Commented that the Board voted a 3.86% increase on taxes.
- Comments on number of private roads and the number that are plowed.

Selectman Latulippe

- Stated that the road he lives on is half private and half town road, it was determined in the past that it was more cost effective to plow to the end of the road than to haul snow off at the half way point.
- Well done to Town Manager and Town Staff for the Student Government Program, very good job!

Selectman Daley

- Impressed with the number of people who showed up for the presentation of the landscape project at the Devil's Kitchen. Mr. Daley stated that the area has been certified as a Natural Wildlife Habitat, the town should be very proud of that.

Chair Dailey

- At the last meeting there was conversation regarding "Dogs on the Beach", the town plans on having a workshop on Wednesday, September 16th at 6:00PM in the evening to discuss the issue. Ben Hershenson will be moderating the meeting.
- Topic of data tracking was addressed at the last meeting (Stacy Crowell); Stacy has been brought up to speed on the topic since. In the past, there have been violators that were tracked.
- Took a walk recently and saw the Marginal Way Improvement finished product, was overwhelmed with the beauty of the project.

10.0 ADJOURNMENT

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 7:41pm; unanimous vote to adjourn.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager