



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

**1.0 EXECUTIVE SESSION - 5:00PM**

**1.1 Real Estate [Pursuant to Title 1, Chapter 13, Subchapter 1§405.6.C]**

Motion made by Robert Winn and second by David Barton to go into Executive Session at 5:03pm pursuant to Title 1, Chapter 13, Subchapter 1§405.6.C; approved 5-0.

Motion made by Robert Winn and second by David Barton to come out of Executive Session at 6:01pm, approved 5-0.

No action was taken during Executive Session.

**2.0 CALL TO ORDER: 6:00-8:00PM**

Meeting called to order at 6:05pm.

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

Others present: Thomas A. Fortier, Town Manager  
Jim Daly, Wells-Ogunquit CSD Superintendent

**2.1 Pledge of Allegiance**

The Pledge of Allegiance was led by Vice Chair John Daley.

**2.2 Select Board Minutes - November 17, 2015**

The minutes of the November 17, 2015 Select Board meeting were approved as amended.

### 3.0 TOWN MANAGER'S REPORT

Today is World Aids Day; Jimmy Lucibello and Katie Rutherford with the Frannie Peabody organization were in Augusta today. They are supporting the "Red Scarf" program in the community, these scarves were made in honor of World Aids Day to show support for those living with HIV/Aids and in memory of those we have lost.

The *Ogunquit Spirit of Giving* is this Sunday, 4:00-6:00pm at Maine Street. This program is helping 600 children have a better Christmas.

The Annual Christmas by the Sea celebration will be December 11-13<sup>th</sup>. The parade will be on Saturday December 12<sup>th</sup> at 3:00pm. The parade will start at Perkins Cove and makes its way to Main Beach. A fireworks display will be at 5:30pm at Main Beach, as well as a bonfire. All events are paid and sponsored by the Chamber of Commerce and the Village Spirit Committee. Thank You!

#### ROUTE 1 MDOT Project:

We are seeing great progress and results. Everyone is anxious to know when the construction will be in the "downtown." If the weather continues to cooperate the downtown will undergo revitalization in February. The entire project is on target to be completed by this time next year and probably sooner! The communication and your patience have made this a spectacular project to manage. We express our gratitude to everyone.

For more information visit [www.mainedot.gov](http://www.mainedot.gov) or [www.townofogunquit.org](http://www.townofogunquit.org)

#### Marginal Way

The seaside garden on Marginal Way has been prepared for winter. A special thank you goes out to resident Thomas Lynch for his extraordinary efforts and attention to detail. The irrigation system has been shut down for the season; the perennials have been cut back to five inches; the entire garden has been weeded and cultivated; all of the trees and shrubs have been evaluated and are in good health; and fresh topdressing of crushed stone has been added along the pathway. The garden is ready for winter.

#### Visitor Services:

We are focusing on the reorganization of our Visitor Services Department. Diane Moore joins Visitors Services and comes to us from the Police Department. We are always looking to provide efficient and cost effective services to residents and

visitors. This winter, we will be looking at how we issue Business Parking Passes, Beach Passes and how we utilize our parking lots. We will seek your advice before implementing any significant changes.

Finance/Budget:

The budget season is upon us. Please consider participating in the building of a Town budget.

Recently, the Town underwent the annual audit. The document is available to for your review.

The Town recently received an \$11,195 dividend check from MEMIC, our Workers Comp insurance carrier, secondary to providing a safe workplace and preventing work place injuries.

Did you know that Ogunquit sent \$8.5 million in revenue to the State of Maine? Ogunquit received a whopping \$16,000 in local revenue sharing from the State. Per capita, Ogunquit is #1 in the amount of taxes sent to the State of Maine.

	Total Taxable Sales in Ogunquit (in thousands)		
	TOTAL	RESTAURANT	LODGING
2014 YTD Sept. 30th	\$108,696	\$44,213	\$47,893
2015 YTD Sept 30th	\$111,351	\$44,905	\$49,794
Increase over 2014	2.4%	1.6%	4.0%
York, Maine	7.2%	4.5%	9.8%
Wells, Maine	11.2%	25.7%	7.3%
YTD Sept. 30th			
Tax Revenue to State	\$8,492		
Tax Revenue shared with Ogunquit	\$ 16 ,000	estimated	
% revenue shared with Town	0.02%		

Did you know that town staff has been successful in securing the following grants/revenue sources over the past several years:

- 2.2 million dollar stimulus Bond parlayed into a \$13M Route 1 Project (2009-2015)
- \$15K Small Harbor Improvement Grant /replacing the Perkins Cove Moorings (2010)
- \$30K FEMA Beach fencing grant (2010)

- \$35K Marginal Way Grant ~paved the MW walking path (2011)
- \$30K Sea Rise Study Grant (2011)
- \$10K MDOT/Small Harbor Improvement Grant~ (2011)
- \$150K Seacoast Initiative/PACE Grant ~ energy efficiency upgrades at Dunaway Center(2012)
- \$5K Watch Guard Grant (Police) (2013)
- \$28K Coastal Communities Grant (2013)
- \$46K SEI Lighting Grant (Dunaway Center)2013
- \$20K Time Warner Cable Dunaway Center upgrades to cameras and WOGT studio. (2014)
- \$100K SHIP Docks/Pilings Grant Perkins Cove (2014)
- \$100K Ogunquit River Restoration Grant (2014)
- \$30K Coastal Communities Grant (2014)
- \$5K Project Lifesaver Grant (Police) (2014)
- \$2K Maine Bureau of Highway Safety (Police) (2014)
- \$5K Bullet Proof Vests Grant, Bureau of Justice (Police) (2015)
- \$20K MDOT Grant for Engineering Footbridge (2015)
- \$40K DEP River Pollution Control 319 Grant (2015)

Thank you to everyone (Staff, residents, Businesses) involved in securing these grants. It takes a consolidated team effort and focus in today's competitive world.

Town Clerk:

Welcome Jo Anne Lepley, Deputy Clerk/Treasurer, our newest staff member! Jo Anne joins our team and comes to us from the Town of Berwick.

Since computerizing the motor vehicle program in March of 2015 the following is a breakdown of transactions handled in the Town Clerk's Office.

Motor Vehicle registrations	1103
New Plate registrations	137
Title Applications	75
Sales Tax Forms	125
Online vehicle registrations - 103 vehicles registered online (outside Clerk's Office)	

For the first time bills were mailed to all dog owners at the beginning of October. It seems to be very successful as we have already registered 20 dogs, an increase in comparison to past for the same time period. Remember, registering your dog assures that pets are properly vaccinated and helps alleviate such epidemics such as rabies. It also helps reunite your pet if lost.

The Town Clerk's office has completed the computerizing of the Mooring Lease Holders Program. Bills will go out in January 2016.

The system upgrades will also allow the town to print the 2016 Business Registrations and mail to each applicant. Businesses can then mail the registration application back to the Town Clerk and a certificate will be issued. This will be less work for the applicant in the future as only changes to their business will need to be noted.

Other advantages of our upgrades include interdepartmental communications. The Police Department and Animal Control Officer now has the ability to look up live data in the Dog Licenses Program or the Code Enforcement Officer, Fire Department or Police Department can look up a business registration for the most current contact information.

The Charter Commission has begun meeting and has been working on a time line for completion of this document to go before the voters in June 2016. Workbooks have been created for all members with Charters from Ogunquit, Arundel, Kennebunk, Wells and York. The Ogunquit Charter is available for all to review and please consider offering your thought and to make recommendations.

#### Land Use Office:

In conjunction with other groups, the Land Use Office staff filled three car trunks full of donations for the York County Food Pantry. They were more than grateful! The Land Use Office still has a food donation box that can be filled and Maryann will be dropping food off every Sunday all winter long. The Pantry told us they are mostly in need of baby diapers (all sizes), personal hygiene products for men and women, and non-perishable foods, particularly: stovetop stuffing, instant potatoes, peanut butter, canned soups and vegetables, powdered milk, baby formula and baby food.

On October 29<sup>th</sup>, six members of the Planning Board and Zoning Board of Appeals attended an MMA Training for Planning Boards and Zoning Boards. The training took place in South Portland. Staff member Maryann Stacy also attended.

Staff continues to transition from paper files to scanned (electronic) files. This enormous undertaking has been in the works for 2 years. When completed, all the files can be accessed by computer, eliminating the need to come to town hall for the paper copy!

The Town has contracted with Municipal Assessing Company (MRI) for assessing services. MRI assessors can be seen out and about measuring properties; they are also updating building files, and tax cards.

Congratulations again on the Town's grant award for the next round of 319 implementation projects! Well done on successfully competing amongst some tough competition. DEP will be looking for some significant changes to the work plan to address comments from the review committee. One aspect that will need to be addressed is to ensure tasks are designed to reduce bacteria inputs to the river, since this is the goal of the project.

Public Works:

The crew has been busy preparing and transitioning from fall to winter operations. The holiday decorations are up and "it's beginning to look a lot like Christmas."

A reminder to our residents that sand is available for your slippery walkway. The sand pile is located at Obeds parking lot. This is for RESIDENT use only.

Transfer Station

The staff is in the process of reviewing our Solid Waste Ordinance and bringing it up to date (now that we are out of ECOMaine it needs to be adjusted)

Staff members, Chris Perry and Lou Rioux attended a DEP training course and are staying up to date on the latest management best practices.

The town contracted Oak Woods Lumber to chip and haul off the brush and leaf piles.

Fire Department:

The department hosted a Life Safety Class 101. All full timers attended to brush up for inspections. CEO Scott Heyland also attended.

The department performed annual hose testing at Footbridge Parking Lot which took about 7 hours. Full timers and volunteers assisted.

Bob Bernard was chosen by Columbia Southern University to receive a full scholarship to finish his bachelor's degree in Fire Administration. Captain Bernard was one of three recipients in the United States, sponsored by the National Volunteer Fire Council (NVFC). Congrats and good work!

Admin Services/Public Works:

The Plowing of Private Roads has been a subject on everyone's mind lately. The Town staff has uncovered a source of real liability but at the same time is working diligently on a plausible solution. In the meantime, residents on the private roads that the town currently plows have with received letters stating that the town will continue to plow for this upcoming winter season. We expect that the Select Board will make a final policy decision by June 30, 2016. In the meantime, residents are encouraged to contact the Town Manager to discuss road standards, easements and hold harmless agreements.

The Ogunquit Sewer District has upgraded 200 feet of sewer main and 2 manholes November 11-20, 2015; Grasshopper Lane to Green Needle on the west side of Route 1. Thank you for your patience as the work made it necessary to have lane closures and detours.

The OSD Board of Directors meeting, Phil Pickering was presented The Charles Perry Award by Tim Haskell, the York Sewer District Superintendent and Chairman of Govt. Affairs for the Maine Water Environment Association (formerly the Maine Waste Water Control Association) Congratulations Phil !

Harbor Master/Conservation:

Perkins Cove is winding down, boats are being taken out of the water and restaurants are closing. The docks will be removed and the Ice Breaker was launched.

The Perkins Cove Bridge is currently in an upright position while the "bearings" receive some restoration. The bridge will be returned to its regular passable position soon. No worries!

The engineering firm of Baker Design Consultants has been selected to assist the town with the Footbridge project.

In the past couple of weeks the town has lost Brad Sterl, known as a former Select Board member, member of the Conservation Commission and really active member of the community.

The Town also recently lost Alan Yaffe, sincere condolences to his family.

John Miller, former Selectman and member of the Board of Assessment Review, turned 91 years old yesterday.

#### 4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

There were no appointments, resignations, proclamation or resolutions before the Select Board.

#### 5.0 PUBLIC INPUT (CURRENT AGENDA ONLY)

##### **Ken Weinstein, 281 Berwick Road**

- Comments about agenda item 9.2 - Naming about Right of Way.
- Received letter from Barbara Kinsman, E911 Addressing Officer, that there would be a road name change.
- Frustrated, would like to keep address.

#### 6.0 PUBLIC HEARING - LICENSE RENEWALS

Public Hearing called order at 6:17pm.

- 6.1 Bintliff's Restaurant - *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions from the public in attendance.

Bintliff's was represented by Norman Hebert, Sr.

**120115-01** Motion made by Gary Latulippe and second by Robert Winn to approve the Malt, Spirituous & Vinous License Renewal for Bintliff's; approved 5-0.

- 6.2 Westmeadow Pub - *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions from the public in attendance.

Westmeadow Pub was represented by Allyson Cavaretta.

**120115-02** Motion made by Gary Latulippe and second by Robert Winn to approve to approve the Malt, Spirituous & Vinous License Renewal for Westmeadow Pub; approved 5-0.

- 6.3 Westmeadow Pub- *Amusement License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no questions from the public in attendance.

**120115-02** Motion made by Gary Latulippe and second by Robert Winn to approve to approve the Amusement License Renewal for Westmeadow Pub; approved 5-0.

## 7.0 PUBLIC HEARINGS & PRESENTATIONS

### 7.1 Wells-Ogunquit Community School District Update - *Jim Daly, Superintendent* Annual Report to the Select Board Pursuant to Chapter 603 of the Ogunquit Town Charter

Superintendent Daly acknowledged Stillman Bradish and Miranda Pollard who represent the Town of Ogunquit on the School Board. He also acknowledged Stacey Schatzabel, Director of Instruction and Josh Gould, Wells High School Assistant Principal and also in charge of the Wells High School Building Project.

A short power point was presented to the Select Board:

- The actual enrollment for Ogunquit is at 48 students.
- School Committee goals for the District.
- Community Outreach and Core Values.
- Curriculum Instruction and Assessment - *Stacey Schatzabel*.
- Student Competencies and Future Trends in Practice
- Budget Development Initial Requests.
- Budget Development Timeline.
- Keeping pace with Technology.
- WHS Building Project review - *Josh Gould*.
  - Exterior Progress
  - Interior Progress
  - Construction Progress and Upcoming Work
  - Barriers to Completion
  - Quality of Work Concerns
  - Scheduling Considerations
  - Long Range Benchmarks
- School Statistics
- Ogunquit School Committee Members
  - Stillman Bradish
  - Miranda Pollard

Selectman Daley - asked if the district was on budget with the new building project.

Chair Dailey - will this be named the Wells-Ogunquit High School?

Motion made by Robert Winn and second by Gary Latulippe to close the public hearing at 6:56pm; approved 5-0.

## 8.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

There was no Unfinished Business on the agenda.

## 9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

### 9.1 Acceptance of Fiscal Year 2014-2015 Town Audit - *John Quartararo, Treasurer* Select Board Review and Acceptance of the Audit of the Financial Statements of the Town of Ogunquit for Fiscal Year ended June 30, 2015

Treasurer John Quartararo was in attendance to review the audit and to answer questions from the Select Board.

**120115-03** Motion made by Robert Winn and second by David Barton to accept the Audit of the Financial Statements of the Town of Ogunquit for Fiscal Year ended June 30, 2015; approved 5-0.

### 9.2 Naming of Right-of-Way - *Scott Heyland, Code Enforcement Officer* Select Board Review and Approval of "Wilderness Way" as the Name of the Right-of-Way off Berwick Road (Map 18) Pursuant to Title II - Health, Safety & Welfare, Chapter 6 - Enhanced E-911 Ordinance.

CEO Scott Heyland was in attendance to request that the Select Board assign a road name for a private way located on Berwick Road; the location of this private way is approximately 200 feet east of the entrance to Meadow Lane on the opposite side of Berwick Road. There is a new development going on in the back, the private way will provide access to two residences (one existing and one under construction). Both owners have been contacted that will be affected by this naming. The Police Chief and Fire Chief have been included in this discussion.

Maria Tilton, owner of the developed land, spoke about the name of the road. Would have liked to have "Tilton's Way" but will settle with the recommended name.

**120115-04** Motion made by Robert Winn and second by David Barton to accept "Wilderness Way" as the name of the Right-of-Way; approved 5-0.

### 9.3 Request to Pursue Legal Action - *Scott Heyland, Code Enforcement Officer* Select Board Review and Action on a Request by the Code Enforcement Officer to Pursue Legal Action against a Property Owner for an Illegally Placed Shed

CEO Scott Heyland was present to ask for authorization to pursue further legal action against a property owner for the illegal placement of a structure and the non-compliance of an order to remove that structure. Numerous letters have been sent and no response. The Zoning Board of Appeals denied the request for a variance.

It was the consensus of the Select Board to authorize the Code Enforcement Officer to pursue further legal action regarding the illegally placed shed.

9.4 Status Report of the Ogunquit Historic Preservation Commission - *Selectman David Barton*

Status Report of the OHPC Current Ordinance Standards and Their Application

Select Barton, who is the liaison to the Historic Preservation Commission, stated that his goal is to explain to the Select Board where we (HPC) are with the Historic Preservation Ordinance, Title 11. Mr. Barton commented on the role of the Historic Preservation Commission, the ordinance and the commission's jurisdiction.

Chair Dailey suggested that Mr. Barton highlight his areas of concern and bring it back to the members of the board.

CEO Scott Heyland stated that there has been no policy change, any pre-1930 structure that comes before him is still required to seek the Ogunquit Historic Preservation Commission's review. Mr. Heyland also commented on "neighborhood significance" and the role of the OHPC.

10.0 **MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP**

10.1 Public Input

**Muriel Freedman, 81 Grasshopper Lane**

- Rebuttal to Selectman Barton's comments regarding the OHPC.

**Jordan Freedman, WOGT**

- Stated that one of the functions he provides on the website is the ability for people to get e-mail notifications; due to an issue with the vendor he is asking people to re-apply for the notifications. Chair Dailey asked that he work with the vendor to recover the e-mails.

10.2 Select Board Comments

**Selectman Latulippe**

- Question about the CIP Budget and when they will receive it.
- Comments on Wells-Ogunquit CSD.

**Selectman Barton**

- Comments on the residency requirements for certain boards and committees.

**Chair Dailey**

- Comments regarding the Comprehensive Plan Workshop, which has now been set for December 16, 2015. The workshop will run from 6:00pm to 8:00pm. This will be an interactive workshop with audience participation. Refreshments will be served as an incentive to get people to attend. Town Manager Fortier will be in charge of the food and entertainment.

**11.0 ADJOURNMENT**

Motion made by Robert Winn and second by David Barton to adjourn the meeting at 8:25pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager