



**SELECT BOARD  
MEETING MINUTES  
MAY 20, 2014**

**1.0 CALL TO ORDER**

Meeting called to order at 6:00PM.

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

Others present: Thomas A. Fortier, Town Manager

**2.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance recited by those in attendance.

**3.0 REQUEST TO APPROVE SELECT BOARD MINUTES**

There were no minutes for the Select Board to approve.

**4.0 TOWN MANAGER'S REPORT**

Town Manager's report as posted on the Ogunquit website:

*As always, please remember, if you have any questions or concerns, please contact your Select Board representative or town staff. We are here to serve you!*

*The Memorial Day Parade is scheduled for Monday, May 26th at 11:00 am. The parade will start at Bourne Lane and proceed to Beach Street. A ceremony at Veterans Park will conclude the memorial.*

*Congratulations to the Meadowmere Resort which recently received the 2014 Maine Family Business Innovation Award! The Institute for Family-Owned Business, in partnership with the law firm Verrill Dana, announced winners at its 2014 Maine Family Business Awards, held May 19 at the Marriott at Sable Oaks. Hosted by WGME-*

*TV co-anchor Gregg Lagerquist, the event is designed to honor winners in several categories. The Meadowmere was recognized for Sustainable Practices Making a Difference in Maine Tourism.*

**Visitor Services:**

*The Public Parking lots are open and here's to a sunny summer! We wish everyone a successful season.*

*The emphasis on enforcing our parking regulations has begun. Adhering to parking time limits creates turnover and allows others to enjoy our community.*

*The **GREAT RACE** is coming to Ogunquit on Saturday, June 21, 2014. The Grand Start promotion of the 2014 Great Race and related festivities is sponsored by Hemmings Motor News. The official start city is Ogunquit, Maine, and the official finish city is The Villages, Florida. Contact the Chamber of Commerce for more information... or [www.greatrace.com](http://www.greatrace.com)*

**Finance/Budget:**

*We are at the 90% YTD point for the municipal budget. I am proud to report that all department budgets are in line and revenues are way up according to Treasurer, John Quartararo. Some unexpected wind falls have been the reimbursement of \$67,000 from FEMA, Grants, and Insurance rebates (\$12,000) for workplace safety compliance. This is the direct result of the great work by our staff!*

*The WOCSD budget has presented a 7.9% increase. Of that increase, 3.8% is the already approved bonds for the field work and the high school renovation. That leaves 2.58% of which 2.01% for contractually mandated salaries and benefits, .09% for additional subsidy for school lunch, and .48% for programming increases and inflation. The elimination of 6 positions is included within this budget. The WOCSD increase will represent \$25.00 per \$100,000 for Ogunquit taxpayers.*

*The municipal budget has been approved by the Budget Review Committee and Select Board. It represents a slight increase of 1.9%. Again, great effort by everyone involved!*

**Town Clerk:**

*Absentee ballots are now available. June 5th will be the last day to get an absentee ballot. The warrant includes 4 elections and 16 pages. Please consider voting absentee.*

*The Town Meeting Warrant and Voter Information Packet is online for your review [www.townofogunquit.org](http://www.townofogunquit.org).*

- June 5 Last day to request Absentee ballot
- June 10 Town Meeting/Election Day

*Business registration needs to occur by May 31st. The fine for non-compliance will be \$25 per day. This has been part of our existing ordinance for many years. The fine for ordinance violations is also \$25 per day.*

**Land Use/Code Enforcement:**

*Comprehensive Plan: The last Comprehensive Plan was completed in 2003. We are looking for members of our community to serve on a committee that will create a vision for our Town over the next ten to twenty years. Please contact the Town Manager if you are interested in participating in planning for Ogunquit's future.*

*Marginal Way/Devil's Kitchen erosion update: An engineering analysis has been completed and we are ready to go out to bid. We have received some welcome flexibility on timelines and the project will most likely be pushed to October.*

**Police Department:**

*Police Chief Arnaudin has been appointed to the State of Maine medical marijuana focus group to study the relationship between the law and use of said substance.*

*This coming summer season, there will be a renewed emphasis on Parking regulations (time), especially on Main Street, Upper Lot and Jacobs Lot. Adherence to time limits on free parking assures turnover and is in the best interest for all trying to enjoy our town.*

*There will be increased enforcement of the beach rules. Such rules as no trespassing on the sand dunes, no consumption of alcohol, no smoking and no dogs will be enforced. Once again, the intent is that we all enjoy our community without compromising public safety.*

*The Police will have a **stronger** presence this coming season, with an eye on compliance and alcohol related incidences in the downtown.*

**Public Works:**

*All the construction is a sign of progress and upgrade to our town's infrastructure. (And yes, it is a nuisance too!)*

*The Public Restrooms at Jacobs Lot and Moody Beach have received a fresh coat of paint as well as the replacement of rotted trim.*

*If you did not attend the April 8th MDOT meeting in regards to Route 1 construction, be sure to watch the rebroadcast every day at 5:00pm on WOGT. The meeting can also be seen on line at [www.townofogunquit.org](http://www.townofogunquit.org).*

*We are pleased to report that Route 1 will receive a temporary paving in the next few weeks. The Town and MDOT have partnered to split the cost and make this project happen despite limited funds. I think all would agree that the present condition of Route 1 is unacceptable.*

*The Kennebunk/Wells/Ogunquit Water District will be replacing 10" water mains with 20" mains this month. The project will replace pipes that have been in place since 1894. The project will begin near Berwick Road and extend to Grasshopper Lane. This is the start of the overall Route 1 reconstruction project. Between the Water District, Town, and MDOT, this will be a 14 million dollar investment in Ogunquit!*

*The Ogunquit Sewer Department recently replaced 700 feet of sewer lines on Shore Road. In collaboration with the MDOT, agreements were also made to improve drainage concerns in the project area. A paved swale along the shoulder of the road at both locations was installed. The district has pitched the road to keep the water on the West/South side of Shore road in our construction area from Yardarm Way to 425 Shore Road.*

*Other projects completed:*

- *Road repairs on Beach Street next to Veterans Park*
- *Driveway water mitigation at 171 Berwick Road*
- *Sinkhole repair in Windward at storm culvert*
- *Continue patching holes on secondary streets*
- *Repair of light fixtures at Windward Walk*
- *Granite curb installation in Perkins Cove*
- *Repaired loose fence posts at Dog Park*
- *Repainted bike racks located @ Moody Beach*
- *Scheduled removal and re-installation of playground equipment from Agamenticus Park to Ogunquit Village School*
- *Paint Moody Beach restrooms and Jacobs Lot restroom (replace roof and trim too)*

*We will have an OPEN HOUSE on a Saturday in June at the new Public Works building. Stay tuned for details.*

**Transfer Station:**

*The Town will terminate its contract with ECOMaine effective June 30th 2014. We are always looking for ways to be efficient and to reduce our costs, and we feel that it will be advantageous to end our contractual agreement with ECOMaine. In the best interest of our town, we feel we can solicit the spot market for our trash and recycling needs and not be bound by a contract.*

*Did you know?*

- *Our Transfer Station operating budget has been reduced by over \$300,000 in the last 5 years. That is incredible.*
- *We have reduced our waste from 2,713 tons in FY2000 to 600 tons FY2013!*
- *We are getting \$70 a ton for Cardboard (Revenue) as opposed to spending monies to dispose of it as trash (expense).*
- *The credit goes to our residents, who recycle 55% of their trash, therefore saving the Town in disposal fees. Trash costs money and recycling generates revenues.*
- *The Transfer Station will be open 6 days a week effective May 7th. It will be closed on Thursdays.*
- *The Transfer Station scale has been calibrated for accuracy. An electronic signal has been installed to alert staff when a customer is on scale.*

*Transfer Station Manager John Fusco and I met with York County Administrator Greg Zinser to further discuss collaborative recycling possibilities.*

**Harbormaster:**

*Approximately 200,000 spats- the seeding of clam flats were performed and a huge thanks to Everett Leach, Shawn Damren, Arthur Damren, Heather Damren, Heidi Damren and our very own Christine Murphy and Cheryl Emery who were there to document the occasion. This project will help maintain our resource for years to come.*

*The Harbormaster has begun his summer schedule which is Friday-Tuesday. Fred has been busy securing floats and painting the Harbormaster/bait shed.*

*In collaboration with WOCSD, Fred will be working with a student as "Harbormaster in training" this summer.*

**Upcoming policy items to consider:**

- *Vacation Rentals: Business registration, Code and safety, Lodging Tax, Liquor licensing , impact fees*
- *Use of Former Land Use office/Winn House/Dorothea Jacobs Park*
- *Use for old DPW garage on Captain Thomas Road*
- *Street Opening Permit Policy: To protect recent infrastructure projects (Berwick Road/North Village Road) and future investments (Route 1 Project)*
- *Taxes need to be paid in full before any permits, passes, use of Town Property are granted.*
- *Ogunquit Village School - policy on future use of property*

**5.0 PUBLIC INPUT**

**Norman Hebert, Business Owner**

- Comments regarding License Fees.
- Route 1 Project – Comments regarding construction issues.

**Karen Arel, Chamber of Commerce Executive Director**

- Comments about proposed impact fee on liquor licenses.

**6.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS****6.1 Conservation Committee – Michael Horn, Committee Chair**  
2014 Environmentalist Award

Mr. Horn was in attendance to present the 2014 Environmentalist Award to Allyson Cavaretta, Manager of the Meadowmere Resort.

**7.0 PUBLIC HEARINGS, PRESENTATION**

Motion made and seconded to open the public hearing at 6:34pm; approved 5-0.

**7.1 Amore Breakfast/Café Amore – Malt, Spirituous & Vinous License Renewal Application**

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Leanne Cusimano was present to represent Amore Breakfast/Café Amore.

**052014-01** Motion made by Robert Winn and second by Chris Jarochem to approve the Malt, Spirituous & Vinous License Renewal Application for Amore Breakfast/Café Amore; approved 5-0.

**7.2 Amore Breakfast/Café Amore – Amusement License Renewal Application**

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

**052014-02** Motion made by Robert Winn and second by Chris Jarochem to approve the Amusement License Renewal Application for Amore Breakfast/Café Amore; approved 5-0.

**7.3 Booth Theater – Amusement License Renewal Application**

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Richard Booth was in attendance to represent the Booth Theater.

**052014-03** Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal Application for the Booth Theater; approved 5-0.

7.4 Cornerstone – *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Michael Cavaretta was in attendance to represent Cornerstone.

Chief Mark O'Brien was in attendance to review the occupancy load for Cornerstone, the occupancy load determined by the Fire Department was set at 110.

**052014-04** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal Application for Cornerstone; approved 5-0.

7.5 Cornerstone – *Amusement License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

**052014-04** Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal Application for Cornerstone; approved 5-0.

7.6 Inicio – *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Representation was in attendance for Inicio.

Chief Mark O'Brien was in attendance to review the occupancy load for Inicio, the occupancy load determined by the Fire Department was set at 120.

**052014-05** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal Application for Inicio; approved 5-0.

7.7 Inicio – *Amusement License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

**052014-05** Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal Application for Inicio; approved 5-0.

- 7.8 Miranda's Restaurant – *Malt & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Representation was in attendance for Miranda's Restaurant.

**052014-06** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt & Vinous License Renewal Application for Miranda's Restaurant; approved 5-0.

- 7.9 MC Perkins Cove – *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Representation was in attendance for MC Perkins Cove.

**052014-07** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal Application for MC Perkins Cove; approved 5-0.

- 7.10 MC Perkins Cove – *Amusement License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

**052014-07** Motion made by Robert Winn and second by Chris Jarochoym to approve the Amusement License Renewal Application for MC Perkins Cove; approved 5-0.

- 7.11 Norseman Resort – *Malt, Spirituous & Vinous License Renewal Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Representation was in attendance for the Norsemen Resort.

**052014-08** Motion made by Robert Winn and second by Chris Jarochoym to approve the Malt, Spirituous & Vinous License Renewal Application for Splash at the Norseman Resort; approved 5-0.

- 7.12 The Blue Shutters Inn – *Malt, Spirituous & Vinous **NEW** License Application*  
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Representation was in attendance for the Blue Shutters Inn.

**052014-09** Motion made by Robert Winn and second by Chris Jarochoym to approve the New Malt, Spirituous & Vinous License Application for The Blue Shutters Inn; approved 5-0.

7.13 Informational Public Hearing for Proposed 2014-2015 Budget and Referendum Articles

Public comment and questions on the proposed 2014-2015 Budget and Referendum Articles which will be before the Voters at the June 10, 2014 Annual Town Meeting

**Michael Horn**

- Comments regarding Article 7, Pesticide Ordinance Amendments. Presentation on June 2, 2014 at 6:00pm regarding the proposal.

**Kirk Lavoie, Glenn Avenue**

- Comments regarding the changes to the sign ordinance.

**Jackie Bevins**

- Questions regarding sign ordinance proposal.

**Alex Poulin, La Pizzeria**

- Questions regarding sign ordinance proposal.

**Lesley Mathews**

- Comments regarding the sign ordinance proposal.

**John Cavaretta, Village Food Market**

- Question about the proposed pesticide ordinance and how it will affect their use of monthly service to rid the establishment of pests.

**Sarah Diment, Beachmere Motel**

- Question about the proposed pesticide ordinance and how it will affect the treatment of the lawn to get rid of grubs.

**Muriel Freedman**

- Asked how the proposed pesticide ordinance will be enforced and how will landscapers be regulated.

**Phil Cavaretta**

- Comments regarding the proposed pesticide ordinance.

Motion made by Robert Winn and second by Chris Jarochoym to close the public hearing at 7:21pm; approved 5-0.

**8.0 ADMINISTRATIVE ITEMS – UNFINISHED BUSINESS****8.1 Liquor License Fee Structure – *Thomas A. Fortier, Town Manager***

Select Board Review of the Registration Fee Structure for Business Registrations and Liquor Licenses

**052014-10** Motion made by John Daley and second by Robert Winn to increase the Business Registration Fee to \$100, Beer & Wine to \$250, Full Liquor to \$350, Full Liquor and Dance to \$500 and Amusement (status quo) at \$100; 0-5, motion fails.

**052014-11** Motion made by Robert Winn and second by David Barton to increase the Business Registration Fee to \$150, no change to other fees; approved 5-0.

**8.2 Beach Erosion Committee – *Selectman Robert Winn***

Progress Report and Update from the Beach Erosion Committee

Selectman Winn reported that a meeting was held on May 19, 2014. The committee is looking towards the Select Board on action for a committee budget, putting together report for the Select Board, talked to the “Vegetation Lady” for dune plant growth and planting Rosa Rugosa at the southern end of the beach.

**9.0 ADMINISTRATIVE ITEMS – NEW BUSINESS****9.1 Agamenticus Ballfield – *Lucas Sevigney, Resident***

Select Board Action to Allow Capital Improvements to Agamenticus Ballfield

Lucas Sevigney was not present, item tabled.

**9.2 Ogunquit Trolley Company, LLC – *Thomas A. Fortier, Town Manager***

Request by David Chaves, Owner, to Increase Fares for 2014

It was the consensus of the Select Board that they would like to meet with Mr. Chaves, Ogunquit Trolley owner prior to approving the fare increase.

**9.3 Wells-Ogunquit School District Budget Validation Referendum Warrant and Notice of Election – *Wells-Ogunquit CSD***

Select Board Action on the Town of Ogunquit District Budget Validation Referendum Warrant and Notice of Election

**052014-12** Motion made by Robert Winn and second by John Daley to accept the District Budget Validation Referendum Warrant and Notice of Election; approved 5-0.

- 9.4 Perkins Cove Fuel Tanks – *Thomas A. Fortier, Town Manager*  
Select Board Action on Existence on Non-Compliant Fuel Tanks in Perkins Cove

Town Manager Fortier requested assistance from the Select Board on this complicated issue. One tank is on town property, the other ½ is on the town property and ½ on the other property. The tank does not meet town setbacks. The two existing fuel tanks in Perkins Cove have numerous code violations and a huge liability to Perkins Cove. He recommended that one tank be removed and the second one be left as a “community tank” with an agreement with the Select Board. Mr. Fortier will continue work on this issue.

- 9.5 Issuance of Municipal Quit Claim Deeds for Foreclosed Tax Liens – *Thomas A. Fortier, Town Manager*  
Select Board Action to Authorize the Town Manager to Issue Municipal Quit Claim Deeds without Covenants for 2011 and 2012 Tax Liens that were paid after the Tax Lien Foreclosure dates. (All taxes are up to date and paid through June 30, 2014)

**052014-13** Motion made by Robert Winn and second by Chris Jarochym to authorize the Town Manager to issue Municipal Quit Claim Deeds without Covenants for 2011 and 2012 Tax Liens; approved 5-0.

## 10.0 MISCELLANEOUS BUSINESS – ORAL & WRITTEN COMMUNICATIONS – FOLLOW-UP

### 10.1 Public

#### **Lesley Mathews**

- Remind people that an article on the Warrant will fund the “Big Belly” program. Stated that she would buy two more if the funding article passed.

#### **Paul Breen, 32 Youngs Crossing**

- Spoke to the issue of a budget for the Beach Erosion Committee. It was suggested by Chairwoman Dailey that the committee meet in a workshop with the Select Board at the next Select Board meeting.

#### **Marjorie Katz**

- Wanted to know why dogs are not allowed on the Marginal Way from April 15<sup>th</sup> to September 30<sup>th</sup>. Was told that this was a Select Board issue to change the dates. Chairwoman Dailey stated that it is an ordinance issue that would have to go before the voters.

### 10.2 Select Board

**Selectman Barton**

- Commented on the financial process during the budget sessions. Specifically the Visitor Services budget and the choices on the ballot (Article 24). Voters were encouraged to vote for the higher amount.

**Selectman Winn**

- Commented on the budget and warrant articles and the need to have the voters pass what is recommended.
- Thank you to the School Board Committee members for all the work they do on the school budget.

**Selectman Jarochym**

- Good conversation between businesses and the town.
- Recognize Allyson Cavaretta and the Meadowmere for the environmentally friendly things that they do and the Allyson's volunteerism in town. Great example for others to follow.
- Getting busy, need to be cognizant of crosswalks, pedestrians, street signs...safety issues.

**Chairwoman Dailey**

- Acknowledged the ongoing dialogue with the business community and residents; Allyson Cavaretta and Norman Hebert provided suggestion with merit.

**11.0 ADJOURNMENT**

Motion made by Robert Winn and second by Chris Jarochym to adjourn the meeting at 9:11pm; unanimous vote to adjourn.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager