

## **COMPLAINT OF THEFT BY UNAUTHORIZED TAKING OR TRANSFER**

JUNE 25, 2016

From October 18, 2011 to December 12, 2013 Nathan Poore, Manager of the Town of Falmouth committed the crime of THEFT against Michael Doyle.

During the period noted above Poore overcharged \$345.00 for FOAA requests using the illegal excuse that a question was a continuation of a previous question. There is no legal provision in the FOAA law that allows for a denial of the first free hour to fulfill a request for information.

Consequently, Poore committed the crime of theft under Section 353:

1. A person is guilty of Theft if:
  - A. The person obtains or exercises unauthorized control over the property of another with intent to deprive the other person of the property. Violation of this paragraph is a Class E crime.

Poore was not authorized to modify a State of Maine law at the time of the theft. The statute of limitation has NOT expired as noted below:  
For official misconduct by a public servant anytime when the person is in office or employment or within 2 years thereafter, up to maximum additional 5 years.

Michael Doyle

# Ogunquit's manager charged with theft

Thomas Fortier is on administrative leave after unauthorized parking fees are collected, then disappear.

By **EDWARD D. MURPHY**  
*Staff Writer*

Ogunquit's town manager was summoned Thursday on charges of ordering municipal employees to keep a town-owned parking lot open late on the July Fourth holiday and then not turning over the money collected from parkers, police say.

Thomas A. Fortier, 51, who lives in Falmouth, was issued the misdemeanor summons by Wells police, who investigated the incident at the request of Ogunquit police. He was placed on paid administrative leave Friday by the Ogunquit Select Board.

Fortier told town employees to keep collecting parking fees at a town lot after 4 p.m. on July 4, Wells Police Chief Jo-Ann Putnam said, noting that the lot is typically free after 4 p.m.

She refused to identify the lot, but said it's commonly used by residents who are going to see Independence Day fireworks.

Putnam said the money collected by the town employees was then "taken by Mr. Fortier" and not turned over to town officials. She declined to say how much money was involved.

Residents who paid for parking after 4 p.m. July 4 in an Ogunquit town lot are asked to call Wells police Sgt. Chad Arrowsmith at 646-9354. Putnam said her officers are continuing to investigate the incident.

Fortier was charged with theft by unauthorized taking or transfer, and official oppression, which involves an official seeking to benefit himself or harm another by committing "an unauthorized act which purports to be an act of his office." Both charges are misdemeanors and Fortier will be arraigned at York District Court on Oct. 27.

In a statement issued late Friday night, Ogunquit Select Board Chairwoman Barbara Dailey said it was standard practice for a town employee to be put on paid administrative leave in such circumstances. She said Mark O'Brien, Ogunquit's fire

## OGUNQUIT

Continued from Page B1

chief, would serve as interim town manager. Dailey's statement said O'Brien is typically interim town manager when Fortier is absent.

Dailey said the board would cooperate with police and also conduct its own inquiry. It will meet Monday to start that process, she said.

"Our commitment is to be fair, thorough and expedient and to keep an open mind until we have learned all the facts," Dailey said.

A recording at a number for Fortier in Falmouth said it had been disconnected.

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