



**SELECT BOARD
MEETING MINUTES
JUNE 27, 2017**

1.0 CALL TO ORDER: 6:00PM

Meeting called to order at 6:00pm.

Members present: John Daley
Richard Dolliver
Madeline Mooney
Charles Waite, III
Robert Winn, Jr.

Others present: Donald Gerrish, Interim Town Manager
Christine L. Murphy, Town Clerk

1.1 Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

1.2 Swearing in of Newly Elected Select Board Members

Town Clerk Christine Murphy was in attendance to swear in the newly elected Select Board members Madeline Mooney and Charles Waite, III.

1.3 Election of Select Board Chair

Nominations were opened for Chair.

Madeline Mooney nominated Charles Waite, III as Chair, second by Richard Dolliver. There were no other nominations.

Charles Waite, III was approved as Chair, 5-0.

1.4 Election of Select Board Vice-Chair

Nominations were opened for Vice Chair.

Richard Dolliver nominated John Daley as Vice Chair; there was no second to the nomination.

Madeline Mooney nominated Robert Winn, Jr. as Vice Chair, second by Charles Waite, III. There were no other nominations.

Ballots were cast for Vice Chair, approved 3-2.

Robert Winn, Jr. was approved as Vice Chair.

2.0 TOWN MANAGER'S REPORT

Thanked Town Clerk, candidates and people who helped out with the recount on Thursday, June 29th.

Beach Street/Main Street Parking and Curbs

Mr. Gerrish stated that a conversation was held with the State of Maine, MDOT, regarding the situation at the Beach Street/Main Street intersection. The curb is part of Route One, a State Highway, if the town wants to move anything they have to get the state's concurrence. At this point they are not eager to move the curb.

After discussion, they were fine with the town putting the loading zone back where it was and adding two parking spaces back into that location to where it was before.

Crosswalks will be repainted on Shore Road and Route One before the 4th of July.

Fireworks

Have held a number of meetings in preparation of the 4th of July Fireworks, there is information on the town's website regarding the fireworks and the parking lot schedule.

The Town has more baby Piping Plovers than any other beach in the State of Maine; there are 18 chicks. There will be 30 volunteers to monitor the birds.

Lower Lot

Finished striping last week, picked up 8 more additional spaces than originally anticipated.

Hope to have new parking meters installed by the second or third week in July.

Mr. Gerrish stated that the Planning Board denied an application for a pier at 1012 Beach Plum Lane; this is being appealed to the court.

The town is at year end, this is the last week of the 2016-2017 Fiscal Year. Revenues look like they will be over estimate about \$250,000 to \$300,000; this comes mainly from Parking Revenues. On the expenditure side, we will be under budget. This will be finalized this week.

Town Manager Search

The Select Board will be meeting later in the meeting in Executive Session to review the recommendations from the Town Manager Search Committee.

Ordinance and Liquor Licenses

At the last meeting there was an issue with a State Law; after follow up it was determined it was repealed. This is being reviewed and will be back to the Select Board with a recommendation for the Special Town Meeting in November to address the issue.

The State has told the town that the process that the town uses for Liquor Licenses is the right process.

2.1 *Proposed Workshop - Donald Gerrish, Interim Town Manager Memo to discuss future Board procedures

Mr. Gerrish recommended that the Board consider adopting "Board Procedures, Rules & Regulations". He provided samples for the Select Board to review.

He stated that he has recommendations for the way the agenda should be set up, which would be discussed during the workshop.

Mr. Gerrish suggested that during the workshop that the Select Board set goals for the upcoming year.

Madeline Mooney thanked Mr. Gerrish for putting this on the agenda; she also asked how items get put on the agenda.

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

3.1 Confirmation of Town Manager Appointments

Select Board Confirmation of Town Manager Department Head Appointments
Pursuant to Ogunquit Charter, Section 405 - Powers & Duties of the Town Manager

062717-01 Motion made by Richard Dolliver and second by Robert Winn, Jr. to confirm the following Town Manager Appointments:

Christine L. Murphy, Town Clerk
John Quartararo, Treasurer
John Quartararo, Tax Collector
Scott Heyland, Code Enforcement Officer
Scott Heyland, License Plumbing Inspector
Patricia Arnaudin, Police Chief
Mark O'Brien, Fire Chief
John Fusco, Transfer Station Manager
Fred Mayo, III, Harbormaster

Approved 5-0

3.2 Planning Board Appointments

062717-02 Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Priscilla Botsford as an Altercate Member of the Planning Board, term to expire June 30, 2018; approved 5-0.

062717-03 Motion made by Madeline Mooney and second by Richard Dolliver to appoint Muriel Freedman as a Full Member of the Ogunquit Planning Board, term to expire June 30, 2020; approved 5-0.

062717-04 Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Steve Wilkos as a Full Member of the Ogunquit Planning Board, term to expire June 30, 2020; approved 5-0.

4.0 PUBLIC INPUT (CURRENT AGENDA ONLY)

Kirk Lavoie, Glen Avenue

- Question regarding the crosswalk painting, shouldn't there be warranty work since it was only painted in November.

Phil Cavaretta

- Commented on the curb in the center of town, still doesn't feel that it will be workable.

5.0 PUBLIC HEARING - LICENSE APPLICATIONS

Liquor License Public Hearing opened at 6:33pm.

5.1 Bandito's Mexican Grill - Malt, Spirituous & Vinous Liquor License Renewal Application

Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

Gary Latulippe, 62 & 67 Shore Road (owner of Sea Chambers)

- Comments regarding CEO Heyland e-mail regarding the Select Board restrictions, requested that they be in effect for this year.
- The only reason asking for the restrictions are that it impacts his business.

Kevin Denis, Manager of Bandito's Mexican Grill

- Asked if they could get those restriction removed this year.
- Unfair restrictions, penalizes their business.

Judy Denis, Owner of Bandito's Mexican Grill

- Asked if anyone had read the Police Reports that created the restrictions.
- Feel complaints were unjustified.
- Would like the same rights as other businesses in town, not restrictions put on by the Planning Board.

Selectman Dolliver

- Stated that he was on the Planning Board when the issue came before the Planning Board.
- Reviewed the Planning Board restrictions.

Mr. Gerrish explained that the role of the Select Board is to either approve the liquor license as presented or to approve with restrictions.

Kim Carpenter, 54 Shore Road

- Commented on the restrictions and the request by the owner to stay open until 1:00am.

Mary Buck, Pine Hill Road North

- Asked if this is the only place in town that has restrictions on its liquor license and time.
- Comments regarding the noise issue.

Motion made by Richard Dolliver and second by Madeline Mooney (for discussion) to approve the Malt, Spirituous & Vinous Liquor License with the current restrictions in place, no alcohol after 10:00pm outside and all outdoor activity shall cease no later than 11:00pm.

Motion made by Richard Dolliver that (we) renew the Malt, Spirituous & Vinous Liquor License for Bandito's Mexican Grill with the restrictions that were placed upon it last year.

There was no second to the motion.

Motion made by Charles Waite, III to basically at this point if someone would be willing to approve the liquor license with the restrictions and if they would like to speak to someone about it they should go back to the Planning Board.

There was no second to the motion.

Mr. Gerrish stated that the other option would be to table this until the next meeting of the Select Board on July 11, 2017.

062717-05 Motion made by Richard Dolliver and second by Madeline Mooney to table this Liquor License application until July 11, 2017; approved 5-0.

- 5.2 Beach Lobster House - *New Malt, Spirituous & Vinous Liquor License Application*
Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments or questions from the public.

Joseph Faria was in attendance to represent Beach Lobster House.

062717-06 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the New Malt, Spirituous & Vinous Liquor License application for Beach Lobster House; approved 5-0.

- 5.3 Beach Lobster House - *New Amusement License Application*
Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

062717-06 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the New Amusement License application for Beach Lobster House; approved 5-0.

- 5.4 Greenery Café - Malt, Spirituous & Vinous Liquor License Renewal Application
Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public.

Amy Hale was in attendance to represent the Greenery Café.

062717-07 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous Liquor License Renewal application for the Greenery Café; approved 5-0.

- 5.5 Hamburger Harry's - Malt, Spirituous & Vinous Liquor License Renewal Application
Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Andrew Migliorini was in attendance to represent Hamburger Harry's.

062717-08 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous Liquor License Renewal application for Hamburger Harry's; approved 5-0.

- 5.6 Hamburger Harry's - Amusement License Renewal Application
Application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

062717-08 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Amusement License Renewal application for Hamburger Harry's; approved 5-0.

- 5.7 *The Trap - UPDATE - New Malt & Vinous Liquor License Application (Update is to include outside seating area on an existing deck. The original Public Hearing was held on June 6, 2017.)

Jason Evans was in attendance to represent The Trap.

This is an amendment to an approved Liquor License to include the outside seating area on an existing deck.

062717-09 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the update to The Trap in Perkins Cove for the New Malt & Vinous Liquor License application; approved 5-0.

Public Hearing closed at 7:13pm.

6.0 PUBLIC HEARINGS & PRESENTATIONS

There were no other public hearings or presentations.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

There was no Unfinished Business before the Select Board.

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

8.1 New Corporate Resolution with Camden National Bank - John Quartararo, Treasurer Select Board Action on the Approval of a New Corporate Resolution with Camden National Bank

Treasurer John Quartararo was in attendance to discuss the new corporate resolutions.

062717-10 Motion made by Richard Dolliver and second by Robert Winn, Jr. to adopt the resolution presented by Camden National Bank naming John Quartararo, Treasurer and Christine Murphy, Town Clerk as signers on all Town Of Ogunquit accounts at the bank; approved 5-0.

8.2 New Corporate Resolution with Kennebunk Savings Bank - John Quartararo, Treasurer Select Board Action on the Approval of a New Corporate Resolution with Kennebunk Savings Bank

062717-11 Motion made by Richard Dolliver and second by Robert Winn, Jr. to adopt the resolution presented by Kennebunk Savings Bank naming John Quartararo, Treasurer and Christine Murphy, Town Clerk as signers on all Town Of Ogunquit accounts at the bank; approved 5-0.

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

9.1 Public Input

Barbara Ferraro, Ocean Heights

- Congratulated the new Select Board members.

- Asked about a change in procedure, which she would like discussed in the Select Board workshop, that would allow Ogunquit residents to respond to any comments that the Select Board members would make during their input session.
- Hope that the anonymous postings and flyers that were sent out will no longer be the mode of communication.
- Asked if the town was still paying an additional Town Manager (Mark O'Brien) for services and if are doing that, why are we doing that.

Mr. Gerrish stated it was agreed upon to continue paying him for services of oversight for construction projects, which will end at the end of this week (our fiscal year).

Judy Perkins, 31 Captain Thomas Road

- Presented a letter from the Robie's Pond Association to the Select Board regarding the Ogunquit Sewer District, the purchase of land by OSD and the town's wastewater management planning.
- Requested the establishment of a special commission to address all options for sewer and septic long term planning.

Peter Kahn, 3 Tern Street

- Spoke on behalf of the Ogunquit Residents Alliance to extend congratulations to Madeline Mooney and Charles Waite for their recent election with the Select Board.
- Spoke about the upcoming ORA meeting on July 12th where they will establish their priorities for the coming year.

Neil DeLuca, 288 Berwick Road

- Brought up a couple of safety concerns around town: Beach Street Loading Zone, the sidewalk which intersects Main Street and Beach Street, the crosswalks and bicycle templates; what is the delay of getting these done.
- Asked if solar powered receptacles for trash and recyclables have ever been considered.

Marjorie Katz, 7 Lilywood Lane

- Congratulations to the new Select Board members.
- Asked what the plans are for trash and bathrooms for the summer.
- Commented on the "Big Belly" trash compactors that the town utilized a few years ago.

Kirk Lavoie, Glen Avenue

- Offered congratulations to Madeline and Bunky.

9.2 Select Board

Selectman Dolliver

- Comments regarding the loading zone on Beach Street.
- Would like to see this board move forward with new bathrooms in this town.
- Have heard feedback from the Cumberland Farms parking area/Jacobs Lot.
- Appreciate Barbara Ferraro's comments, but someone has to have the last word.
- Comments regarding OSD and plans for future; connect to Wells.

Selectman Winn

- Congratulated Madeline and Bunky.

Selectwoman Mooney

- Would like to use this section at the end of the meetings just to say any items that may be of interest, as was brought up not to talk about specific people or organizations that should be covered under the business.
- Thanked everyone for coming out to vote and interest in town affairs, look forward to working for you.

Chair Waite

- Appreciates everyone's support.
- Appreciated the votes to be Chair.
- Attended the Performing Arts Chamber Music Festival, we have such incredible artists that come to this town. It was well attended on a rainy night.
- Thanked everyone who was involved with the AIDS Quit on Memorial Day Weekend.

10.0 OTHER BUSINESS

11.0 EXECUTIVE SESSION

11.1 *Personnel [Pursuant to Title 1, Chapter 13S405 (6) (A)]

Meet with Town Manager Search Committee Members to Review Town Manager Recommendations

Motion made by Robert Winn, Jr. and second by Madeline Mooney to go into Executive Session at 7:33pm to discuss Personnel pursuant to Title 1, Chapter 13S405 (6) (A); approved 5-0.

There were no votes taken during Executive Session.

12.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting at 8:45pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager