



**SELECT BOARD
MEETING MINUTES
OCTOBER 4, 2016**

1.0 CALL TO ORDER-6:00PM

Meeting called to order at 6:00pm.

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

Others present: Mark O'Brien, Acting Town Manager

1.1 Pledge of Allegiance

The Pledge of Allegiance was recited by all in attendance.

2.0 TOWN MANAGER'S REPORT

Mr. O'Brien reminded all that the Water and Sewer Districts will be starting the Shore Road Project. The Water District to start on October 17th with the water main update and at the same time Grondin will be starting the Lower Lot pipe project. The week of the 24th the Sewer District will be starting their project. Traffic will be intermittent; the hope is to maintain one-way traffic during the project.

There will be an informational meeting at the York Turnpike Authority Maintenance Facility on Wednesday, October 5th regarding the new toll booth. The MTA will be conducting public hearings on the location. One of the side effects is the possibility of more traffic dumping on to Route 1. The MTA has an extensive explanation on their website.

<http://www.maineturnpike.com/Projects-Planning/Planning-Projects/York-Toll-Plaza-Replacement.aspx>

Beach parking lots are closed to charging for parking fees, except for Main Beach which will stop charging after the long weekend. Perkins Cove and Obeds Lots will continue to charge until a week after Columbus Day, and then all the lots will be closed for the season.

Tax bills have been sent out. There were 3 slight errors in wording on the tax bill.

No word yet regarding the autopsy results on the seagull (rat poison).

Karen Arel from the Chamber of Commerce is retiring in June 2017. Mr. O'Brien thanked Karen for all the work she has done for the Town of Ogunquit. The Chamber Board is currently in a search for a replacement for her. Absentee Ballots will be available Friday, October 7th. The Voter Information Packet, after Select Board approval tonight, will be available also.

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

3.1 Application for Reappointment - *Budget Review Committee*

100416-01 Motion made by Robert Winn and second by Richard Dolliver to reappoint Lindsey Perry as 2nd Alternate to the Budget Review Committee, term to expire June 30, 2017; approved 5-0.

3.2 Application for Appointment - *Conservation Commission*

100416-02 Motion by Robert Winn and second by Richard Dolliver to appoint Cynthia Douglass as a Full Member of the Conservation Commission, term to expire June 30, 2018; approved 5-0.

3.3 Application for Appointment - *Parks & Recreation Committee*

100416-03 Motion made by Robert Winn and second by Richard Dolliver to appoint Michele Tourangeau as a Full Member of the Parks & Recreation Committee, term to expire June 30, 2018; approved 5-0.

3.4 Application for Appointment - *Planning Board*

100416-04 Motion made by Robert Winn and second by Richard Dolliver to appoint Mark Macleod as 1st Alternate to the Ogunquit Planning Board, term to expire June 30, 2017; approved 5-0.

4.0 PUBLIC INPUT (CURRENT AGENDA ONLY)

There were no comments or questions from the public.

5.0 PUBLIC HEARING - LICENSE APPLICATIONS

5.1 Beachfire - Malt, Spirituous & Vinous License Renewal Application
Recommend for approval by the Police Chief, Fire Chief and Code Enforcement Officer; there were no comments or questions from those in attendance.

Jared Laflin was in attendance to represent the Beachfire.

100416-05 Motion made by Robert Winn and second by Richard Dolliver to approve the Malt, Spirituous & Vinous License Renewal Application for Beachfire; approved 5-0.

6.0 PUBLIC HEARINGS & PRESENTATIONS

6.1 General Assistance Ordinance - Adoption of MMA Appendices A-D (October 2016 - September 30, 2017) as part of Ogunquit's General Assistance Ordinance
Public Comments and Questions regarding the Proposed Amendments to Title II of the Ogunquit Municipal Code, General Assistance Ordinance [pursuant to Title 22 MRSAS4305(3-B)]

Acting Town Manager Mark O'Brien gave a brief overview of the changes to the General Assistance Ordinance.

There were no comments or questions from the public in attendance.

6.2 Informational Public Hearing on the Warrant Articles for the November 8, 2016 Special Town Meeting - Select Board Chair Barbara Dailey

Article 2. Addition of Fluoride to Public Water Supply

No comments or questions from the public in attendance.

Julia Gerrish, on behalf of Norm Labbe, Superintendent of the Kennebunk, Kennebunkport & Wells Water District

- Was present to answer questions.
- Stated that the water department has taken the stance to stop adding fluoride.
- Reviewed information regarding fluoride.

Article 3. Intergenerational Learning Center & Parks & Recreation Information Center at OVS (*petition article*)

Boriana Dolliver, 331 Shore Road

- Comments on how she came up with the idea for the Intergenerational Learning Center.

Michele Tourangeau, 433 Main Street

- Spoke in favor of the Intergenerational Learning Center.

Cindy Douglass, Main Street

- Commented on the Intergenerational Learning Center and its integration with the Comprehensive Plan, indicated that this project is premature.

Ben Hershenson, Myrtle Circle

- Spoke about citizens being able to vote on the concept without the addition of the funding.

Article 4. An Ordinance to Restrict the Use of Private Helicopters to Approved Heliports West of #95 only (*petition article*)

No comments or questions from the public in attendance.

Article 5. Charter Amendment to Article I - Grant of Powers to the Town, Section 102 - Powers of the Town, §102.11

No comments or questions from the public in attendance.

Article 6. Charter Amendment to Article II - Town Meetings, Section 203 - Town Elections, §203.1

Michele Tourangeau, 433 Main Street

- Member of the Charter Commission, she explained that she voted against term limits and explained her rationale.

Paul Breen, 33 Young's Crossing South

- Clarified the article for the voters.

Ben Hershenson, Myrtle Circle

- Commented on term limits.

Selectman Daley

- Commented on the explanation for term limits.

Selectman Dolliver

- Commented on term limits and vacancies in committees.

Article 7. Charter amendment to Article II - Town Meetings, Section 206 - Warrant Article(s) by Petition of Voter

No comments or questions from the public in attendance.

Article 8. Charter amendment to Article III - Select Board, Section 308 - Meetings and Voting, §308.2

No comments or questions from the public in attendance.

Article 9. Charter amendment to Article III - Select Board, Section 310 - Powers of the Select Board, §310.2

No comments or questions from the public in attendance.

Article 10. Charter amendment to Article III - Select Board, Section 310 - Powers of the Select Board, §310.12

No comments or questions from the public in attendance.

Article 11. Charter amendment to Article III - Select Board, Section 310 - Powers of the Select Board, §310.16

No comments or questions from the public in attendance.

Article 12. Charter amendment to Article V - Financial Procedures, Section 504 - Revenue and Expenditures

No comments or questions from the public in attendance.

Article 13. Charter amendment to Article V - Financial Procedures, Section 505 - Borrowed Funds

No comments or questions from the public in attendance.

Article 14. Charter amendment to Article V - Financial Procedures, Section 506 - Independent Annual Audit

No comments or questions from the public in attendance.

Article 15. Charter amendment to Article VIII- Boards, Committees and Commissions, Section 801 - Town Boards, committees and Commissions

No comments or questions from the public in attendance.

Article 16. Charter amendment to Article VIII- Boards, Committees and Commissions, Section 801 - Town Boards, Committees and Commissions S 801.1

No comments or questions from the public in attendance.

Article 17. Charter amendment to Article VIII- Boards, Committees and Commissions, Section 803 - Forfeiture of Office

No comments or questions from the public in attendance.

Article 18. Charter amendment to Article IX- General Provisions, Section 909 - Conflict of Interest

No comments or questions from the public in attendance.

Article 19. Charter amendment to Article IX- General Provisions, Section 910 - Appearance of Conflict of Interest

No comments or questions from the public in attendance.

Article 20. Approve the charter modifications, not otherwise specified in Warrant Articles 5 through 19

No comments or questions from the public in attendance.

Selectman Latulippe thanked the members of the Charter Review Commission who have worked diligently on this document. A couple of issues have come up; one was who the Charter Review Commission is? The Commission, due to lack of interest, could have had more members but was comprised of 4 residents and 1 member of town employee, Chris Murphy.

Article 21. An Ordinance to Amend Title III of the Ogunquit Municipal Code, Public Service Ordinance

No comments or questions from the public in attendance.

Article 22. An Ordinance to Amend Title X of the Ogunquit Municipal Code, Article 7 - District Regulations, Land Uses Permitted in Zoning Districts, Table 702.1, Fences

No comments or questions from the public in attendance.

Article 23. An Ordinance to Amend Title X of the Ogunquit Municipal Code, Article 8 - General Standards Applicable to All Land Uses, Section 8.6.C - Fences

No comments or questions from the public in attendance.

Article 24. New Title XVII of the Ogunquit Municipal Code, Private Use Helicopters Ordinance

Paul Breen, 33 Young's Crossing South

- Commented on the difference between the petition article and this article.

Kirsten Ross, Highland Avenue

- Suggested language be included in the Information Packet regarding emergency landings (for both articles)

Peter Kahn, 3 Tern Street

- Commented on training with helicopter.

Mike Lynch, 48 School Street

- Finds both articles very confusing, should be no helicopter pad in Ogunquit.

Jack Connerty, 46 Woodland Hills

- Commented, as a voter, would be confused to see two articles on the warrant with the same topic.

Mark MacLeod, 57 Bayview Avenue

- What happens if both articles pass? Answer: the more restrictive ordinance prevails.

Article 25. Amend the Building Maintenance Reserve Account, change of wording

No comments or questions from the public in attendance.

Article 26. Replacement of Mooring Chains at Perkins Cove - \$120,000

Paul Breen, 33 Young's Crossing South

- Stated he was confused after hearing the explanation; he stated he keeps a boat in York Harbor where the mooring owners pay for the mooring chains.

Article 27. Replenish the Natural Disaster Account - \$9,439

There was a question on the Select Board vote on the article.

No comments or questions from the public in attendance.

Article 28. Acceptance of Plowing Easement on Certain Private Roads

Mike Lynch, 48 School Street

- Stated that MMA states that it is against the law to use taxpayers' money to plow private roads, it's illegal.

Jack Connerty, 46 Woodland Hills

- Spoke about letter that was sent out to residents of private roads regarding plowing of private roads, road standards and easements.

Article 29. Acceptance of Woodland Hills as a Town-owned Road

No comments or questions from the public in attendance.

Kirsten Ross, Highland Avenue

- Spoke about the OVS petitioner's document at the Post Office in the locked cabinet, gives the appearance that the town supports the article.

Cindy Douglass, Main Street

- Spoke about the special meeting of the Select Board where the OVS Article was discussed.
- Asked that all meetings be televised, as the special meeting was not so there is no record of it.

Motion made by Richard Dolliver and second by Gary Latulippe to move out of public session at 7:26pm; approved 5-0.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

There was no unfinished business before the Select Board.

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

8.1 General Assistance Ordinance - Adoption of MMA Appendices A-D (October 2016 - September 30, 2017) as part of Ogunquit's General Assistance Ordinance - Mark O'Brien, Acting Town Manager

Select Board Action on the Proposed Amendments to Title II of the Ogunquit Municipal Code, General Assistance Ordinance [pursuant to Title 22 MRSAS4305(3-B)]

100416-06 Motion made by Robert Winn and second by John Daley to accept the Maine Municipal Association's General Assistance Ordinance, Appendices A-D (October 2016 -September 30, 2017) as part of Ogunquit's General Assistance Ordinance, Title II, the municipal officers acting under Title 22 MRSAS4305(3-B); approved 5-0.

8.2 Special Town Meeting Voter Information Packet - Mark O'Brien, Acting Town Manager

Select Board Review and Action on the November 8, 2016 Special Town Meeting Voter Information Packet

The Select Board reviewed the informational packet and recommended several changes to the document.

Article 4 - Add the same information for a summary that is under **Article 24**.

Article 6 - The first sentence is subjective, strike the first sentence.

Article 26 - Mooring chain, no reference to the Perkins Cove Bridge, need to add language in the summary.

100416-07 Motion made by Robert Winn and second by Gary Latulippe to approve the Voter Information Packet for the November 8, 2016 Special Town Meeting as amended; approved 5-0.

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

9.1 Public Input

Muriel Freedman, Grasshopper Lane

- Suggested that our representatives to the school committee come and give updates to the Select Board as to what is going on in the school district.

Boriana Dolliver, Shore Road

- Expressed that Mrs. Freedman's idea is a great idea, it is in our charter that the school district gives an annual update.

Ben Hershenson, Myrtle Circle

- Commented on the availability to get 10 free articles per month from the York County Coast Star.

9.2 Select Board

Selectman Dolliver

- Spoke about debt service levels that are allowed and what the town's debt service is currently at.
- Suggested that the town should be looking toward the future and spend money to beautify the town.

Chair Dailey

- Thanked the four committee applicants who came forward to volunteer their time to the town.

10.0 EXECUTIVE SESSION - 7:30PM

10.1 Legal [Pursuant to Title 1, Chapter 13S405.6.E]

10.2 Personnel [Pursuant to Title 1, Chapter 13S405.6.A]

Motion made by Gary Latulippe and second by Richard Dolliver to go into Executive Session (after a five minute break) at 7:50pm for Legal [Pursuant to Title 1, Chapter 13§405.6.E] and Personnel [Pursuant to Title 1, Chapter 13§405.6.A]

Selectman Latulippe left the meeting at 9:24pm.

Motion made by Richard Dolliver and second by John Daley to come out of Executive Session at 10:07pm; approved 4-0, Latulippe absent.

No action was taken during Executive Session.

11.0 ADJOURNMENT

Motion made by Richard Dolliver and second by John Daley to adjourn the meeting at 10:07pm; approved 4-0, Latulippe absent.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager