



**SELECT BOARD
MEETING MINUTES
JANUARY 3, 2017**

Selectman Winn recused himself prior to the call to order for the Executive Session.

1.0 EXECUTIVE SESSION

- 1.1 Legal Rights and Duties [Pursuant to Title 1, Chapter 13S405.6.E]
- 1.2 Personnel Matters [Pursuant to Title 1, Chapter 13S405.6.A]

Those present for Executive Session:

Barbara Dailey, Chair
John Daley, Vice Chair
Richard Dolliver
Gary Latulippe

Motion made by John Daley and second by Richard Dolliver to go into Executive Session at 5:41 to discuss Legal Rights and Duties, pursuant to Title 1, Chapter 13S405.6.E; and Personnel Matters pursuant to Title 1, Chapter 13S405.6.A; approved 4-0, Winn recused.

Motion made by Richard Dolliver and second by John Daley to come out of Executive Session at 6:57pm; approved 4-0, Winn recused.

No action was taken during the Executive Session.

- 1.3 Labor & Contract [Pursuant to Title 1, Chapter 13S405.6.D]

Those present for Executive Session:

Barbara Dailey, Chair
John Daley, Vice Chair
Richard Dolliver
Gary Latulippe

Motion made by John Daley and second by Gary Latulippe to go into Executive Session at 6:57pm to discuss Labor & Contracts pursuant to Title 1, Chapter 13§405.6.D; approved 4-0, Winn absent.

Motion made by Gary Latulippe and second by John Daley to come out of Executive Session at 6:57pm; approved 4-0, Winn absent.

No action was taken during the Executive Session.

2.0 CALL TO ORDER

Meeting called to order at 7:00pm.

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

Others absent: Mark O'Brien, Acting Town Manager

Chair Dailey stated that there would not be a discussion under 8.2 regarding Helicopters, but there is a draft of the new ordinance available for the public in the back of the room.

2.1 Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

2.2 Select Board Minutes - December 6, 2016 Regular Meeting

The minutes of the December 6, 2016 Select Board meeting were accepted as amended.

2.3 Select Board Minutes - December 12, 2016 Special Meeting

The minutes of the December 12, 2016 Select Board meeting were accepted as amended.

3.0 TOWN MANAGER'S REPORT

The Town Manager's Report will be available on the town's website tomorrow, December 7th.

From the web page:

January 3, 2017

The water district has four more services to tie in on Shore road above Wharf lane toward the square and Rt 1. They expect be done by 1-13-2017 with all winter work in the road.

There will be some temporary cold patch and cement on cross trenches on Shore road. Beware it may be a little bumpy for the winter until permanent pavement is applied in the spring.

The guards for around the tree's in the down town section on the sidewalks have arrived and will be installed soon by our highway crew.

The town received seven bids for the footbridge reconstruction. We hope to have the low bid approved at the next board meeting. Most contractors bid to start the project next fall but it may be done this spring if all lines up properly.

Reminder to all that are coming to the town hall that there is "NO PARKING" on either side of School Street except in front of town hall for 15 minutes. This includes in front of the old school along the black fence. Please use parking out back on Cottage Street if needed.

Request for Proposal (RFP) for Beach Street design will go out next week as funded by the voters last June. It will include the design of Beach Street sidewalks, drainage, and lighting among other things. It will include to the main beach ramp and the circle at the beach. We look forward to this project now that Rt 1 is complete. It will enhance the approach to our great attraction of the beach.

Chains for the moorings are due next week and installation will start with the direction from our Harbor Master Fred Mayo. Be aware of construction equipment moving in and around the cove during this process.

HAPPY NEW YEAR: It's a new year and let's all start it with a positive attitude for our residence and visitors.

Mark O'Brien, Acting Town Manager

4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

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

5.0 PUBLIC INPUT (CURRENT AGENDA ONLY)

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

6.0 PUBLIC HEARING - LICENSE APPLICATIONS

Public Hearing called to order at 7:08pm.

- 6.1 Bintliff's Restaurant - *Malt, Spirituous & Vinous Liquor 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 in attendance.

Representation was in attendance for Bintliff's Restaurant.

010317-01 Motion made by Gary Latulippe and second by Richard Dolliver to approve the Malt, Spirituous & Vinous Liquor License Renewal application for Bintliff's Restaurant; approved 5-0.

- 6.2 Bintliff's Restaurant - *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 in attendance.

010317-01 Motion made by Gary Latulippe and second by Richard Dolliver to approve the Amusement License Renewal application for Bintliff's Restaurant; approved 5-0.

- 6.3 The Front Porch - *New Application for Malt, Spirituous & Vinous Liquor License*
Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

Representation was in attendance for The Front Porch.

010317-02 Motion made by Gary Latulippe and second by Richard Dolliver to approve the New Malt, Spirituous & Vinous Liquor License application for The Front Porch; approved 5-0.

6.4 The Front Porch - New Application for Amusement License
 Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer, there were no comments or questions from the public in attendance.

A question was asked by Selectman Latulippe regarding the type of entertainment that will be conducted at the establishment.

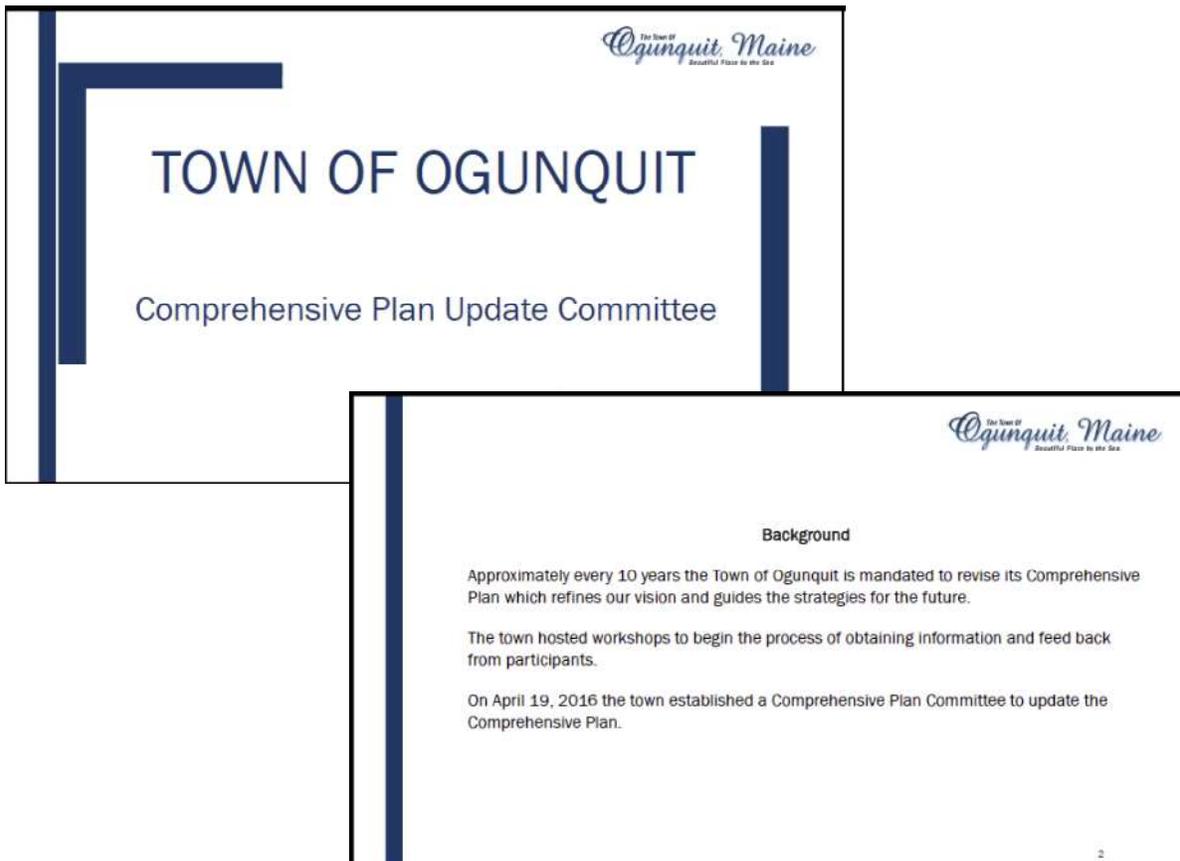
010317-02 Motion made by Gary Latulippe and second by Richard Dolliver to approve the New Amusement License application for The Front Porch; approved 5-0.

7.0 PUBLIC HEARINGS & PRESENTATIONS

7.2 Comprehensive Plan Update - Steve Wilkos, Chair

Steve Wilkos, Chair of the Comprehensive Plan as well as Chair of the Planning Board, was in attendance with some members of the committee to update the Select Board and the public regarding what is happening and the current timeline for the Comprehensive Plan.

Kirk Lavoie, Technical Specialist for the Comprehensive Plan Committee was also in attendance to assist with the power point presentation.





Comprehensive Plan Committee Members

Steve Wilkos, Chair
 Newell Perkins, Vice-Chair
 Carole Aaron, Secretary
 Kirk Lavoie, Technical Specialist
 Karen Arel
 Roger Brown
 Boriana Dolliver

Louesa Gillespie
 Ben Hershenson
 Charley LaFlamme
 Janel Lundgren
 Mark Macleod
 Bill Woods

Barbara Dailey, Select Board Chair and Committee Liaison
 Scott Heyland, Ogunquit Land Use Director
 Maryann Stacy, Land Use Office Administrative Assistant



Timeline

1. Comprehensive Plan Update Committee formed April 2016
2. Information gathering survey drafted December 2016
3. Information gathering survey planned to be launched January 2017
4. Information gathering survey planned to close February 21, 2017
5. Analyze information gathering survey results by March 15, 2017
6. Update Comprehensive Plan June 2017
7. Updated Comprehensive Plan to be reviewed by August 2017
 1. Select Board
 2. Planning Board
 3. SMPDC (Southern Maine Planning and Development Commission)
 4. Town Attorney
8. Update Comprehensive Plan to be presented to voters for acceptance at Town Meeting November 2017



4

Information Gathering Survey

1. Survey developed, taken and analyzed with the Survey Monkey tool
2. The survey has 55 questions
3. The survey can be taken online or using a paper copy
4. The survey takes approximately 20 minutes to complete
5. Communication of survey launch through
 1. mailed postcard (+/- 3000),
 2. Select Board
 3. Planning Board
 4. WOGT
 5. Press Releases
 6. Facebook
 7. www.townofogunquit.org



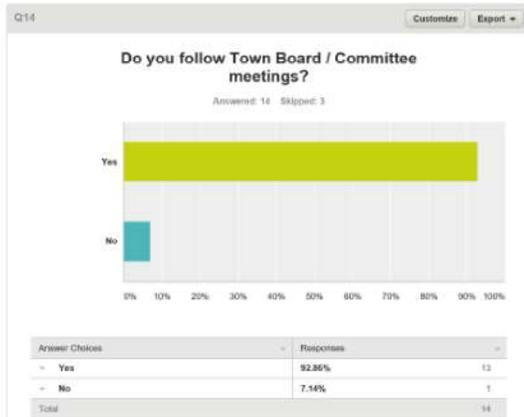
14. Do you follow Town Board / Committee meetings?

- Yes
 No

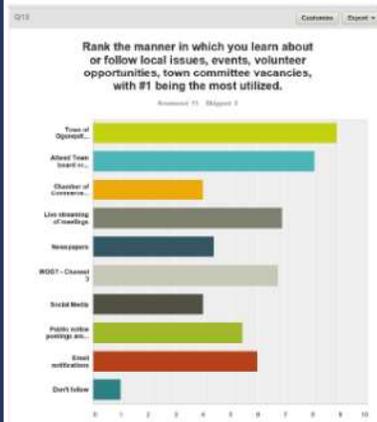
15. Rank the manner in which you learn about or follow local issues, events, volunteer opportunities, town committee vacancies, with #1 being the most utilized.

<input type="text" value="1"/>	Town of Ogunquit website
<input type="text" value="2"/>	Attend Town board or committee meetings
<input type="text" value="3"/>	Chairman of Committee website
<input type="text" value="4"/>	Live streaming of meetings
<input type="text" value="5"/>	Newspapers
<input type="text" value="6"/>	WOGT - Channel 3
<input type="text" value="7"/>	Social Media
<input type="text" value="8"/>	Public notice postings around town
<input type="text" value="9"/>	Email notifications

6



7



	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Total	Count
Town of Ogunquit...	10.0%	13.3%	20.0%	26.7%	33.3%	40.0%	46.7%	53.3%	60.0%	66.7%	73.3%	80.0%	86.7%	93.3%	100.0%	15	15
Attend Town Board mt...	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Club/other of committees...	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Live streaming of meetings	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Newspapers	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
WDSI - Channel 3	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Social Media	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Public online postings etc...	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Email notifications	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	13	13
Don't follow	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	1	1

Front of postcard to be mailed in January

Town of Ogunquit Land Use Office
 PO Box 875
 23 School St
 Ogunquit ME 03907

Let your voice be heard!

Your input shapes the future of Ogunquit

J. Doe
 123 Main St
 Ogunquit ME 03907

Back of postcard to be mailed in January

Approximately every 10 years the Town of Ogunquit is mandated to revise its Comprehensive Plan which will refine our vision and guide the strategies for the future.

The town has established a Comprehensive Plan Committee to prepare and conduct a survey to collect information and opinions in order to update the plan.

Here is how you participate

Online

1. Visit www.townofogunquit.org/survey
2. Click on the Comprehensive Plan Survey link
3. Enter **ogt2017survey** when prompted for the password

For a paper copy or assistance

Visit or call Maryann (207-646-9326) in the Land Use Office to obtain whatever assistance you need in completing the survey.

Please take the time to participate in this important effort before February 21, 2017. Your responses will be confidential.

www.townofogunquit.org

www.facebook.com/ogtcomplancomm



Press Release to be issued in January

Town of Ogunquit Land Use Office
PO Box 875
23 School St
Ogunquit ME 03907

Press Release
Jan 4, 2017

TOWN OF OGUNQUIT 2017 COMPREHENSIVE PLAN UPDATE

The Town of Ogunquit has established a Committee comprised of a diverse team of volunteer residents to review the Town Comprehensive Plan. The Plan, last modified in 2002, will provide a guide for future action by the town government to maintain and enhance the quality of life in Ogunquit. The information gathered through this survey, which is being sent to over 3,000 residential and business tax payers, will be used to update the Comprehensive Plan to reflect the Town's needs over the next 5 to 10 years.

Beginning in January, 2017 the Comprehensive Plan Committee will begin an outreach campaign to recruit and educate all eligible residential and business tax payers to contribute to this survey. This program will include postal public notices, announcements at all town committee and board meetings, information on the Town website, Facebook and WOGT. In addition, post cards will be mailed to all eligible participants outlining how to respond to this survey.

The Comprehensive Plan Committee urges all eligible participants to take part in a community effort to shape the future of Ogunquit.

PM: compplan@townofogunquit.org







For more information, contact the Comprehensive Plan Committee at compplan@townofogunquit.org, call Maryann Stacy in the Land Use Office at 646-9326 or message the committee at www.facebook.com/ogtcompplancomm

12

Questions:

Selectman Dolliver asked when a survey is done online, what prohibits someone from completing it multiple times?

Mr. Wilkos explained that hard copies are going to be numbered and turned into the land use office. With the online surveys, Survey Monkey records the IP address where the survey comes from and then a report can be run to review IP addresses.

Selectman Daley asked where the information came from for the postcard mailing.

Mr. Lavoie explained that they used three sources of information; voting records, tax records and business registration records. The information was merged together to allow the removal of duplicate information.

Mr. Wilkos reviewed the process as to how the multitude of questions was narrowed down to 50 for the survey.

The postcard will be going out in the mail this month.

Public Comments:

Boriana Dolliver

- Commented on the survey and the ability to start it one day and finish it on a different day.

Wendy Lavigne, Obeds Lane

- Asked about whether there was space on the survey for open-ended questions or comments.
- Is this survey available now?

Mr. Wilkos explained that the last question on the survey is open-ended for comments.

Mr. Lavoie explained that the survey is not available at this time, should be a couple more days to get the website adjusted.

Motion made by Richard Dolliver and second by Gary Latulippe to close the public hearing at 7:31pm; approved 5-0.

8.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

8.1 Senior Community Committee - Barbara Dailey, Select Board Chair Select Board Discussion Regarding the Need to Establish a Senior Community Committee

Jacqui Grant was in attendance to answer questions from the Select Board.

Chair Dailey explained that, as a first step, a committee would have to be established by the Select Board. They would have to determine whether it would be a standing committee or an ADHOC committee. The Board would also have to approve the mission of the committee that they would stand behind and support.

Selectman Dolliver asked if any of the questions from the Comprehensive Plan would revolve around this issue. If it does, should the board wait to see what the response is from the survey?

Selectman Dolliver commented on the information that was presented by Ms. Grant for the committee regarding senior housing.

Selectman Latulippe commented about the committee, wanted to know if it was basically a housing committee.

Chair Dailey stated that before the board launches a committee, would like to have an overall consensus from the rest of the board that they are in favor of the formation of a committee with a specific action plan and outcome.

Chair Dailey recommended that, if the committee is formed, they go through the formal interview process with all the applicants. The Select Board can appoint an ADHOC Committee, but may need other action to appoint a standing committee

Selectman Winn commented on the existing Comprehensive Plan and how Senior Housing was outlined in it but was not followed through on. The Comprehensive Plan does address this issue, but he stated that he didn't see any reason that a group of people couldn't get together to discuss ideas in preparation. Mr. Winn stated that he doesn't see any reason the board should wait on this, the growth action plan in the prior plan states that it should be implemented.

Chair Dailey asked if there was interest from the rest of the Select Board to schedule the speaker regarding Senior Housing at the next meeting of the Select Board.

Selectman Latulippe stated that he is favor of the concept, but not in favor of moving forward quickly on the formation of a committee. He would like to see a presentation from the person from York.

It was the consensus of the Select Board to have a speaker at the next meeting of the board.

Barbara Ferraro spoke about their work as a group, asked that the Select Board appoint them as an ADHOC Committee so that they can move forward.

8.2 Helicopter Ordinance - *Scott Heyland, Code Enforcement Officer*

Select Board Discussion and Review of a Proposed Helicopter Ordinance from Code Enforcement Officer Scott Heyland

This agenda item was tabled; information is available at the back of the room.

9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

9.1 Posting of Select Board Documents to Web Page - *Mark O'Brien, Acting Town Manager*

Select Board Discussion Regarding the Posting of Select Board Meeting Supporting Documentation to the Town of Ogunquit Website

Chair Dailey stated that Acting Town Manager Mark O'Brien had made a proposal to the Select Board that the Board's meeting packets be posted to the web page for people to review in advance of the an upcoming meeting. She noted that there would have to be some exclusion to those packets as there are some pieces of information that are not public.

Selectman Latulippe stated that he thinks it is a great idea, which he had brought up with Mr. Fortier in the past; so long as private information is maintained private.

Selectman Winn agreed with Selectman Latulippe; would just need to be sensitive to private information.

Selectman Dolliver commented on the private information on the documents.

Chair Dailey stated that there also has been a request to do this for the Planning Board, but the web page does not have the space to allow this at this time.

9.2 IAFF Firefighter Contract Memorandum of Understanding (MOU) - Mark O'Brien, Acting Town Manager

Select Board Action on Select Terms of the IAFF Contract Renewal

010317-03 Motion made by Gary Latulippe and second by Richard Dolliver to approve the IAFF Firefighter Contract Memorandum of Understanding (MOU); approved 5-0.

9.3 Discussion of Possible Informal Q & A Session with the Select Board - Barbara Dailey, Chair

Discussion of Options for Select Board Interaction with the Public

There is a gap of knowledge of routine procedure and processes and how they work; this has been clarified along the way when people ask.

One of the items that have been asked for consideration is what is the right feedback loop for topics that have been brought up; what is the best way to address issues. What kinds of options make sense for Q & A.?

Selectman Winn suggested that when people bring up items in public input, that the item is documented and brought up on a future agenda for discussion.

Chair Dailey commented on the "Ask the Select Board" on the web page, the loop needs to be closed as they receive the questions but not always have the ability to

answer publicly. An organized way to pose the question and receive answers would be helpful.

Selectman Dolliver suggested that the meeting start at 5:30pm for a half hour Q & A before the 6:00pm meeting.

The consensus from the Select Board is that they are open to the idea, would like to have some public input on the Q & A.

10.0 OTHER BUSINESS

010317-04 Motion made by John Daley and second by Richard Dolliver to accept the voluntary resignation of Cliff Marchant, Director of Administrative Services, effective March 12, 2017, on the terms outlined and agreed in the Release and Voluntary Resignation Agreement; approved 4-0, Winn abstained.

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

11.1 Public Input

Muriel Freedman, Grasshopper Lane

- Commented on the Affordable Housing in the 2003 Comprehensive Plan.
- Commented on the Q & A sessions and follow through.

Wendy Lavigne, Obeds Lane

- Comments regarding the new helicopter ordinance, wanted to know if it could be posted online; and also wanted to know if the new format could be approved by the Select Board or would it have to go to a town meeting.
- Comments on making the Select Board more accessible to the public during the meeting.

Bob Glidden, High Ridge Lane

- Questioned why a new Helicopter Ordinance is being presented as there is currently one that was passed by the voters.

Boriana Dolliver, 331 Shore Road

- Comments regarding the Senior Housing Community and Affordable Housing.

Peter Kahn, 3 Tern Street

- Stated that he is trying to understand the difference between a Charter Revision, Charter Amendment and a Charter Modification as they relate to the Charter that was just passed.
- Suggested to have quarterly Q & A sessions in a separate meeting.

Jack Connerty, 46 Woodland Hills

- Stated that he liked the idea of having the Q & A prior to meeting as Selectman Dolliver suggested.
- Comments regarding what has been happening in this town, i.e. Executive Sessions, Wrongful Terminations, Employee Infractions, Personnel Matters, etc; wanted to know how payments are arranged for these employees.
- Commented on the fact that there was an article where the FBI was investigating bid processes in the town. Stated that residents should be kept more abreast on these issues.

Kirsten Ross, Highland Avenue

- Comments about making the budget process more transparent.
- Asked why the public does not have access to budget documents on the web page.
- Suggested bring our website into the modern age.
- Comments regarding the mid-year report not being available for the past few years.
- Commented on the lack of Town Manager reports and fiscal reports not being available.
- Commented on being surprised about the Select Board making the Beach Bathrooms a priority.

Lou Rioux, Captain Thomas Road

- Comments regarding administrative leave pay for employees and the cost to the town.

11.2 Select Board**Selectman Dolliver**

- Commented about the Jon Webber case, current cases and due process.
- Spoke about confidentiality during personnel issues.
- Just because you hear, read or see something...please don't believe the hype.

Selectman Latulippe

- Happy New Year to everyone.

- Stated that the Board beats up on town counsel for information that they can give out to the public.
- In regards to Ms. Ross's statements, he has brought up the subject of the need to address the beach bathrooms on numerous occasions.

Chair Dailey

- Commented on the issues about the beach bathrooms and the priority on the need to update to them.
- There was an editorial published on the 15th in the York Coast Star by a resident of town. She stated that she reached out to the town attorney to respond to the inaccuracies in the article.
- Clarified a statement she made regarding a Human Resources Director having impact on the current cases.
- The town is going through some tough times, have pressed the attorneys for more information to share with the public.
- Making a collective decision in the best interest of the town.

The Select Board voted tonight to accept the voluntary resignation of Cliff Marchant from his position of Director of Administrative Services. His resignation is effective March 12, 2017 and he will be paid until this date. Town personnel matters are confidential under Maine Law and therefore the town cannot provide any further details. We are able to share the Release and Voluntary Resignation Agreement when it has been signed. The Select Board can also report on the progress of the separate personnel matter involving Town Manager Tom Fortier. As has been previously reported there have been a number of Executive Sessions held by the Select Board to discuss this matter. Maine Law requires that personnel matters of this nature are discussed in Executive Session and the Select Board is not allowed to disclose such discussions to the public. However, we are able to report that significant progress has been made in Mr. Fortier's personnel matter and we anticipate taking a public vote at our next meeting in January (which needs to be scheduled). We appreciate both the patience shown by the community and your understanding of the necessity for confidentiality and the importance of engaging in a very thorough and fair process.

12.0 ADJOURNMENT

Motion made by Richard Dolliver and second by Gary Latulippe to adjourn the meeting at 9:03pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager