



**SELECT BOARD
MEETING MINUTES
MARCH 21, 2017**

1.0 CALL TO ORDER

Meeting called to order at 6:06PM

Members present: Barbara Dailey, Chair
Richard Dolliver
Robert Winn, Jr.

Members absent: John Daley
Gary Latulippe

Motion made by Richard Dolliver and second by Robert Winn, Jr. to excuse the absence of John Daley and Gary Latulippe from the Select Board meeting; approved 3-0.

Others present: Mark O'Brien, Acting Town Manager

1.1 Pledge of Allegiance

The Pledge of Allegiance was led by Selectman Dolliver.

Chair Dailey stated that there had been some changes to the agenda since it was originally posted on Friday.

Motion made by Richard Dolliver and second by Robert Winn, Jr. to approve the three changes to the agenda; approved 3-0.

2.0 TOWN MANAGER'S REPORT

Acting Town Manager O'Brien reviewed some deadlines for the Annual Town Meeting that was presented by Town Clerk, Christine Murphy:

Nomination Papers available

March 21, 2017

Nomination Papers due back

May 1, 2017

Openings include (2) Select Board, (2) Budget Review Committee and (1) Wells-Ogunquit CSC member.

Deadline for submission of petitions

April 13, 2017

Mr. O'Brien stated that the Town Clerk, Christine Murphy, has been scanning past years Select Board packets; so far she has scanned over 900 documents from 1973 to 1993. Thank you to Chris for her efforts.

Business Registrations have been mailed out and are due back by May 31, 2017.

Most of the Footbridge on Ocean Street has been removed; the project is going along very well. There will be a progress meeting tomorrow morning at 9:30am if anyone would like to attend. Pylons for the bridge are mostly done; they are getting ready to pour the west abutment. The sections for the bridge are being built at the shop (Atlantic Mechanical). The project is on time.

On Tuesday, during the blizzard, the Fire Department did 30 calls for service in about 36 hours; the Police Department was experiencing the same calls for service. The Police Department put video on Facebook® during the storm that was well received. The Highway Department was out for 29 hours straight.

Chair Dailey stated that the Comprehensive Plan Committee will be hosting a joint workshop with the Select Board on Tuesday, March 28th at 6:00pm. During this workshop they will present the results of the survey.

On April 11th the Select Board will meet with the Budget Review Committee at either 5:00pm or 6:00pm to vote on the CIP budget.

3.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

3.1 Board of Assessment Review

032117-01 Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Lindsey Perry to the Board of Assessment Review, term ending June 30, 2014; approved 3-0, Daley & Latulippe absent.

4.0 PUBLIC INPUT

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

5.0 PUBLIC HEARING - LICENSE APPLICATIONS

Public Hearing called to order at 6:19pm.

- 5.1 Gypsy Sweethearts - 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 Gypsy Sweethearts.

032117-02 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous License Renewal Application for Gypsy Sweethearts; approved 3-0, Daley & Latulippe absent.

- 5.2 Leavitt Theatre - 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 the Leavitt Theatre.

032117-03 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous License Renewal Application for the Leavitt Theatre; approved 3-0, Daley & Latulippe absent.

- 5.3 Leavitt Theatre - 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.

032117-03 Motion by Robert Winn, Jr. and second by Richard Dolliver to approve the Amusement License Renewal Application for the Leavitt Theatre; approved 3-0, Daley & Latulippe absent.

- 5.4 Roberto'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 Roberto's Restaurant.

032117-04 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous License Renewal Application for Roberto's Restaurant; approved 3-0, Daley & Latulippe absent.

5.5 Smokey B's Gin Mill, LLC - New Application for a 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 Smokey B's Gin Mill, LLC.

032117-05 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the New Malt, Spirituous & Vinous License Application for Smokey B's Gin Mill, LLC; approved 3-0, Daley & Latulippe absent.

Acting Town Manager informed the Select Board that he had checked with the State, the dollar amount for rooms, food and liquor do not need to be part of the application for the Select Board.

6.0 PUBLIC HEARINGS & PRESENTATIONS

6.1 Select Board Mid-Year Report for 2016-2017 - Barbara Dailey, Select Board Chair
Public Comment & Questions regarding the 2016-2017 Select Board Mid-Year Report

There were no comments or questions.

6.2 Proposed Change to Title XVII - Private Use Helicopter Ordinance - Scott Heyland, Code Enforcement Officer
Public Comment & Questions regarding a Proposed Change to Title XVII - Private Use Helicopter Ordinance

CEO Heyland was in attendance to explain the new ordinance that will repeal and replace the existing ordinance. The new document is for a total ban on helicopter landings in the Town of Ogunquit. This document has been reviewed by the Town Attorney.

Wendy Lavine, Obeds Lane

- Comments and suggested changes on the proposed ordinance.
- Stated that she was fine with the penalties/fines.
- Feels the ordinance title should be changed.

Peter Kahn, 3 Tern Street

- Comments on the fines and waiver fee.

CEO Heyland responded to the comments on waivers.

Public Hearing closed at 6:41pm.

7.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

7.1 Update on Town Manager Search Committee - *Barbara Dailey, Select Board Chair*

Chair Dailey stated that the Select Board was thrilled with the level of interest that was shown by the number of applicants (27) for the committee. Thank you to all that applied.

The following were appointed to the committee:

- Jerry DeHart
- Weston Elliott
- Jeffery Low
- Fred Lynk, Chair
- Pamela Sawyer
- Don Simpson, Vice Chair
- Steve Wilkos
- John Daley, Select Board Liaison (Ex-officio Member)

The committee held their first meeting on March 15th.

8.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

**8.1 Ogunquit Music in the Park - *Boriana Dolliver, Parks & Recreation Committee Chair*
Select Board Review and Action on the Request from the Parks & Recreation Committee to Hold Summer Concerts in the Dorothea Jacobs Grant Common Park**

Chair Dailey stated that the presentation would take place at this meeting, but will take action on the request at the April 4th meeting of the Select Board.

Jason Corbin, Parks & Recreation Committee Member, was in attendance to give the presentation of Ogunquit Music in the Park. Mr. Corbin stated that he has lined up 11 bands, all family friendly bands, to perform in the Dorothea Jacobs Grant Common Park. These concerts will take place on Monday nights from 6:00-7:30. Mr. Corbin stated that they have working closely with the Ogunquit Performing Arts Committeel

- | | |
|---------------------------------|------|
| Wells-Ogunquit High School Band | June |
| Lex & Joe | July |
| What's Up Doc | July |

Ian Black Band	July
After Hours Band	July
Elvis Band	July
Just Doc Band	August
On Tap Band	August
Something in the Water	August
Jim Dozet	August
Windmills Band	September

This will be free of charge to the community, but hopefully will get some donations.

Mr. Corbin stated that last summer he got on his moped and went up and down School Street and Obeds Lane to get input from neighboring residents, the committee wants to work with the neighbors. The committee has addressed the issue of bathrooms and parking; would like to utilize the Dunaway Center for bathrooms and Obeds Parking Lot and maybe work out some agreement with the Select Board.

Boriana Dolliver stated that she had spoken to Wells High School regarding getting student volunteers for the functions.

8.2 Proposed Amendments to the Ogunquit Zoning Ordinance - Scott Heyland, Code Enforcement Officer

Select Board Review and Action on the Request from the Planning Board for the Placement of Proposed Amendments to be Placed on the Warrant for the June 2017 Annual Town Meeting

<p>Article 2 – Definitions – “Bureau” and “Forest Management Activities”</p> <p>Table 702.1 – Land Uses for “Forest Management Activities” and “Timber Harvesting”, and associated notation regarding “Reviewing Authority”</p> <p>Article 9.21 – Forest Management Activities.</p>

Scott Heyland, Code Enforcement Officer, reviewed the proposed changes to the zoning ordinance.

8.3 Acceptance of Centralized Voting Components & Accessible Voting System Equipment - Mark O'Brien, Acting Town Manager

Select Board Review and Action on the Acceptance of a Donation from the State of Maine for Centralized Voting Components and Accessible Voting System Equipment

032117-05 Motion made by Richard Dolliver and second by Robert Winn, Jr. to accept the Centralized Voting Components and Accessible Vote System Equipment as listed from the Secretary of State; approved 3-0, Daley and Latulippe absent.

8.4 Select Board Action on Request for Funding of Recruiting Retainer - Barbara Dailey, Select Board Chair

Chair Dailey stated that John Daley reported to her after the March 15, 2017 meeting of the Town Manager Search Committee intends to hire a recruiting firm to solicit resumes. They have found that the recruiting retainer could cost up to 25% of the annual salary of the Town Manager once defined. They are looking for a deposit of \$10,000 for this service. The committee does not have a budget for this service. Acting Town Manager O'Brien stated that he had a conversation with Treasurer Quartararo regarding this. The Treasurer put together projections for the remainder of this fiscal year and the ability to transfer funds.

After July 1st the Charter changes regarding transfers, but still with a \$25,000 limitation.

Acting Town Manager O'Brien stated that anything over \$10,000 would have to go out to bid.

It was the consensus of the Board to wait until the next meeting of the Select Board to speak with John Daley regarding this issue.

8.5 Hillcrest Quit Claim Deeds and Real Estate Transfer Tax Declarations - John Quartararo, Treasurer

Select Board Review and Action on a Request to Authorize the Treasurer to Issue Municipal Quit Claim Deeds without Covenants to Hillcrest Condo and Timeshare Resort on five (5) Foreclosed 2014 Tax Liens

032117-06 Motion made by Robert Winn, Jr. and second by Richard Dolliver to issue Municipal Quit Claim Deeds without Covenants to Hillcrest effectively transferring town's interest in the timeshare units by virtue of foreclosed tax liens to Hillcrest and to authorize the Town Manager or Treasurer to sign off on the quit claim deeds; approved 3-0, Daley and Latulippe absent.

8.6 Sale of Final 2014 Foreclosed Tax Lien - John Quartararo, Treasurer

Select Board Review and Action on the Sale of the Property to Seasons Condo Association for Payment of Tax Liens and Current Property Taxes; and to authorize the Treasurer to Issue a Municipal Quit Claim Deed on said Property

032117-07 Motion made by Robert Winn, Jr. and second by Richard Dolliver (for discussion) to authorize the Treasurer, John Quartararo to speak with the Seasons Condo Association regarding taxes that are due and if they come to an agreement, to authorize the Treasurer, if it is paid in full, to issue a Quit Claim Deed; approved 3-0, Daley and Latulippe absent.

9.0 OTHER BUSINESS

Acting Town Manager Mark O'Brien explained that the town had engaged Baker Design, who is the same firm that was the engineer on the Footbridge, to do an engineering study on the Perkins Cove Footbridge.

They submitted a very extensive report on Friday regarding the condition of the bridge. The estimate for repairs to make this operational for the season is \$65,000. The recommendation beyond that is that this is a temporary fix for a couple of years. Beyond that it would be a complete replacement of the bridge, which would be \$1.5M (est.).

Mr. O'Brien requested that the Natural Disaster Fund be utilized for funding of the repair of the bridge which would be replenished at the Annual Town Meeting. This is an emergency as it the project would have to go out to bid, bids received and work done before the season opens.

032117-08 Motion made by Richard Dolliver and second by Robert Winn, Jr. to transfer up to \$65,000 from the Natural Disaster Fund to be replenished on the June warrant for the purposes of repairing the Footbridge in Perkins Cove; approved 3-0, Daley and Latulippe absent.

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

10.1 Public Input

Scott Heyland, Code Enforcement Officer

- Comments regarding the Legalization of Marijuana Act and creating a dry town. The Planning Board will be working on this for future ordinances for the town.

- Mr. Heyland stated that the Select Board could issue a 90-day moratorium that would take us through June, and then the Select Board could issue a 180 day moratorium which would be renewable for another 180 days.
- Mr. Heyland recommended that this item be on the next Select Board agenda.
- Comments regarding Cumberland Farms and its request to the State of Maine Liquor Board to become a State Liquor Agency. He will be attending a public hearing in Hallowell on Friday regarding this issue.

Marsha Northrop, Fieldstone Lane

- Comments on the liquor license application from Cumberland Farms.

10.2 Select Board

Selectman Dolliver

- Stated that he was sincerely sorry if he hurt anyone for a statement he made at the last meeting.

Chair Dailey

- April 4th is an important meeting.
- Next Tuesday night, Comprehensive Plan survey results.

11.0 ADJOURNMENT

Motion made by Richard Dolliver and second by Robert Winn, Jr. to adjourn the meeting at 8:01pm; approved 3-0, Daley and Latulippe absent.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager