



**SELECT BOARD
MEETING MINUTES
APRIL 4, 2017**

1.0 COMMITTEE INTERVIEWS 5:30PM

The Select Board met to interview applicants for the Planning Board, Parks & Recreation Committee and the Shellfish Commission.

2.0 CALL TO ORDER: 6:00PM

Meeting called to order at 6:02PM.

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

Others present: Mark O'Brien, Acting Town Manager

2.1 Pledge of Allegiance

The Pledge of Allegiance was led by Selectman Dolliver.

2.2 Select Board Minutes - March 7, 2017

The minutes of the March 7, 2017 Select Board meeting were accepted as presented.

2.3 Select Board Minutes - March 8, 2017

The minutes of the March 8, 2017 Select Board meeting were accepted as presented.

2.4 Select Board Minutes - March 21, 2017

The minutes of the March 21, 2017 Select Board meeting were accepted as presented.

Chair Dailey commented that at the last meeting there was discussion on possibly a moratorium on commercial marijuana projects. Public comment will be allowed on this topic during 5.0 PUBLIC INPUT.

3.0 TOWN MANAGER'S REPORT

Happenings around town...

Tomorrow the KK&W Water District will be starting on Shore Road, weather permitting. There is a sign at the beginning of Shore Road that will give updates on the project (i.e. one lane, etc.). They plan on being on site for the next 2 to 2 ½ weeks; once done the road from the square to Israel Head Road will be repaved.

Mr. O'Brien stated that have gone out to RFP for reconstruction of the sidewalk in front of Bessie's. This was originally supposed to have been part of the Route One project but got set aside to make sure that the Route One project got funded first. Bids are due tomorrow and hopefully can award the bid at the April 11th meeting.

The Footbridge on Ocean Street is moving along, they have started setting some of the spans on the bridge. The project is right on schedule and should be completed by mid May.

The Comprehensive Plan Survey results are on the web page; there has been an update to the survey that will include the comments that were submitted with the survey. Once the comments have been reviewed, they will also be posted on the website.

There will be a pre-bid meeting for the Footbridge in Perkins Cove on Wednesday, April 5th at 12:30pm. This is for the emergency repairs to the footbridge; once the monies are approved will go out to RFP. The RFP will have a deadline of June 7th for completion.

Scott Heyland was in attendance to review information from his attendance at a public hearing he attended in Augusta regarding Cumberland Farms application to become an Agency Liquor Store. Mr. Heyland stated that he did not really get anywhere with any type of appeal. He stated that he raised concerns about the location, size and whether the town had voted in the past to allow this type of facility. The state will be researching this issue.

Acting Town Manager requested that an agenda item be moved to the beginning of the meeting:

9.1 Financial Audit Services RFP Award of Bid - John Quartararo, Treasurer
Select Board Review and Action on the Award of the Bid for Financial Auditing Services for the Town of Ogunquit

Mr. Quartararo explained that he went out to bid and received three responses:

Ron Beaulieu & Company	\$12,000
Smith & Associates	\$11,500
RHR Smith & Company	\$10,000

Treasurer Quartararo would recommend that the Select Board approve RHR Smith & Company.

040417-01 Motion made by Robert Winn, Jr. and second by to award the audit services contract for a three-year term with the option of two (2) one-year extension at the town's option to RHR Smith & Company, Buxton, Maine, not to exceed \$10,000; approved 5-0.

4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS

4.1 Committee Appointments

040417-02 Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Priscilla Botsford as 1st Alternate to the Planning Board, term to expire June 30, 2017; approved 5-0.

040417-03 Motion made by Gary Latulippe and second by Richard Dolliver to appoint Lauren Fogarty as a Full Member to the Parks & Recreation Committee, term to expire June 30, 2019; approved 5-0.

040417-04 Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint George Cundiff as Full Member to the Shellfish Conservation Commission, term to expire June 30, 2019; approved 5-0.

5.0 PUBLIC INPUT (CURRENT AGENDA ONLY)

Wendy Lavine, Obeds Lane

- Hopefully to finalize the Helicopter Ordinance proposition and to thank those that has hung in during this process.
- Also thank you to Scott Heyland for his work on this issue.

6.0 PUBLIC HEARING - LICENSE APPLICATIONS

Public Hearing opened at 6:21pm.

- 6.1 Brix & Brine- *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.

Jacob Kirsch was in attendance to represent Brix & Brine.

040417-05 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt, Spirituous & Vinous Liquor License Renewal Application for Brix & Brine; approved 5-0.

- 6.2 La Pizzeria - *Malt & 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.

Kirk Lavoie was in attendance to represent LaPizzeria.

040417-06 Motion made by Robert Winn, Jr. and second by Richard Dolliver to approve the Malt & Vinous Liquor License Renewal Application for LaPizzeria; approved 5-0.

- 6.3 Roost Café & Bistro - *Malt, Spirituous & Vinous 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 Roost Café & Bistro.

040417-07 Motion made by Gary Latulippe and second by Robert Winn, Jr. to approve the Malt, Spirituous & Vinous Liquor License Renewal Application for Roost Café & Bistro; approved 5-0.

- 6.4 Roost Café & Bistro - *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.

Cost Center View of Proposed Budget

Cost Center	FY 18 Proposed	FY 17 Adopted	\$ Difference
Regular Instruction	\$9,871,882.26	\$9,700,445.16	\$172,437.10
Special Education	\$3,914,965.85	\$3,745,674.66	\$169,291.19
Career & Technical Education	\$20,000.00	\$13,132.00	\$6,868.00
Other Instruction	\$709,906.28	\$680,621.25	\$29,285.03
Student Support Staff	\$2,374,578.53	\$2,256,454.93	\$118,123.60
System Administration	\$766,281.15	\$672,591.24	\$93,689.91
School Administration	\$1,183,679.14	\$1,088,432.87	\$95,246.27
Transportation	\$1,179,811.62	\$1,130,727.81	\$49,083.81
Facilities / Maintenance	\$2,499,721.07	\$2,472,669.81	\$27,051.26
Debt Service	\$3,049,388.00	\$3,115,911.10	(\$66,523.10)
Other (Nutrition)	\$203,000.97	\$187,684.44	\$15,316.53
TOTAL	\$25,773,214.87	\$25,064,345.27	\$708,869.60

General Fund Budget Revenues

	FY 2018	FY 2017	Variance
Miscellaneous Revenue	30,000.00	30,000.00	NC
State Subsidy	1,126,279.04	965,577.27	+160,701.77
Unassigned Fund Balance	125,000.00	100,000.00	+25,000.00
CSD Local Tax Assessment	24,491,935.83	23,968,768.57	+523,167.26
TOTALS	25,773,214.87	25,064,345.27	+708,869.60

 FY 18 Estimate vs FY 17 Actual

Ogunquit	
2017 Tax Rate (Actual)	\$3.99
<u>2018 Tax Rate (Estimated)</u>	<u>\$3.98</u>
Decrease	(-0.01)
Impact on \$300,000 home	(-\$3.00)

Wells	
2017 Tax Rate (Actual)	\$6.17
<u>2018 Tax Rate (Estimated)</u>	<u>\$6.32</u>
Increase	\$0.15
Impact on \$300,000 home	\$45.00



 FY 18 Key Budget Dates

April 5, 2017: School Committee Adopts Budget

May 3, 2017: School Committee issues warrants

June 7, 2017: School District Budget Meeting

June 13, 2017: Budget Validation Vote



Also present for the presentation was Jay Moore, Facilities Director. Mr. Moore reviewed the Capital Improvements over the past year and what they have planned for future:

- Paved the front parking lot at the junior high school.
- Did some renovations at the elementary school.
- Proposing three major projects for the 2017-2018 FY:
 - Pavers in the courtyard at the elementary school need to be refurbished/beautification (\$75,000-80,000).
 - At the junior high school, parking lot needs to be re-graded and drainage issues addressed; and beautification of a small courtyard (\$45,000-50,000).
 - Install a sidewalk along the side entrance of the Performing Arts Center at the high school (\$10,000).
- Mr. Moore stated that they have about \$300,000 in their CIP fund; these changes would utilize about $\frac{1}{2}$ of that amount.
- The School Board has asked that they put together a 5-year CIP plan, which they have done.

Selectman Latulippe

- Question about the increase in the electricity account for Wells High School.

Selectman Daley

- Question regarding the 2.25% increase and step increases. Mr. Daley stated that steps were approximately \$2,700-\$3,500.

7.2 Ogunquit Village School CIP - Boriana Dolliver, Parks & Recreation Committee Change of the Ogunquit Village School to a Community Center

Ms. Dolliver stated that the Parks & Recreation Committee, which has been dormant for the past few years, has recognized the need for programs that enrich the quality of life in Ogunquit.

The committee sees the need for a facility to grow with the programs; the Ogunquit Village School would be the ideal location to fit those needs.

Ms. Dolliver reviewed the results of the Comprehensive Plan regarding activities for town residents.

Courtney Marble, 123 Stearns Road

- Reviewed comments from the survey.

Michelle Tourangeou, 433 Main Street

- Read a letter from Lisa Ouellette, 67 Glen Avenue since 2013 regarding the need for a community center and town activities.

- Commented that Borianna is the chair, but this is a proposal from the Parks & Recreation Committee.
- Read a letter from Frances Reed, Vice President, Ogunquit Chamber of Commerce in support of the Ogunquit Parks & Recreation Committee's plan to turn the Old Village School into a community center.

Tim Pasterizyk, Parks & Recreation Committee

- Commented on the role of the Parks & Recreation Committee and their commitment to meeting the needs of the community.

Mary Breen, 114 Stearns Road

- Comments regarding the results of the Comprehensive Plan Survey and the role of the elected officials with the results.

Norm Hebert, Bintliff's Ogunquit and resident of Shore Road

- Comments regarding the Ogunquit Village School and the state of the building; also comments regarding the school becoming a community project.

Alicia Manocha, 24 Sea Oaks Lane

- New resident in Ogunquit; stated that would like to be part of the community. In favor of having a community center for old and young and everyone in between.

John Mixon, Vinton Road

- Gave some history of the playground and basketball court. Commented on the closure of the Ogunquit Village School. When lost the school, lost soul and togetherness. The town needs this community center.

Phil Cavaretta, 74 Main Street

- Spoke about the historical perspective of the Dunaway Community Center; the building was donated to the town as a community center and it's been turned into town offices. The intent of the donation has been changed.
- Supports the vision of the community center.

Martin Crosby, Village Green Drive

- Member of the Founders Board of the Ogunquit School House Arts Center.
- Gave a review of the Ogunquit School House Arts Center. An exploratory board has been put together to look into the development of this.
- Asked that the Select Board wait 6 months to make a decision so that funds could be raised to develop this idea and go to the town.

Rob Fogarty, 24 School Street

- Fully supports Boriana's quest to get the school going.

Chris Caraviello, 49 Shore Road

- In favor of a multi-generational community center.
- Commented that something should be done with the building.
- Would like to see arts included in the building, but not just solely for art.

Maryann Stacy, Captain Thomas Road

- Full disclosure, stated that she works for the Town of Ogunquit.
- It would be great to have the building used for art, but need a community center to come together as a community.

Mark O'Brien, Acting Town Manager

- Stated that sitting in this chair (ATM) for the past 8 months he has seen so much that needs to be updated: infrastructure, lot of things need fixing. As a community should borrow/bond and fix what needs to be fixed.
- Would like to see something done with and move on.

Chair Dailey stated that the Select Board and the Budget Review Committee will hold a joint meeting on April 11th at 5:00pm to vote on the CIP budgets. There will be an agenda item for public questions and comments.

7.3 Proposed Change to Title XVII - Private Use Helicopter Ordinance - Scott Heyland, Code Enforcement Officer

Public comments and questions regarding the request to repeal and replace ~~Title XVII - Private Use Helicopters Ordinance~~ with Title XVII Helicopter Ordinance

CEO Scott Heyland was in attendance to present the final draft of the Helicopter Ordinance. Mr. Heyland reviewed the changes with the Select Board.

This document has Mr. Heyland's approval and has been reviewed by the Town Attorney.

There were no public comments or questions.

Public hearing closed at 7:25pm.

8.0 **ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS**

8.1 Proposed Change to Title XVII - Private Use Helicopter Ordinance - Scott Heyland, Code Enforcement Officer

Select Review and Action on the request to repeal and replace ~~Title XVII – Private Use Helicopters Ordinance~~ with Title XVII Helicopter Ordinance by placing an Article on the June 13, 2017 Annual Town Meeting Warrant

040417-09 Motion made by Robert Winn, Jr. and second by Richard Dolliver to accept the repeal and replace of ~~Title XVII – Private Use Helicopters Ordinance~~ with Title XVII Helicopter Ordinance by placing an Article on the June 13, 2017 Annual Town Meeting Warrant; approved 5-0.

8.2 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

Selectman Daley

- Question about whether this falls under Special Events Permit Ordinance.

Selectman Winn

- Question regarding the collection of donations during the events.

CEO Scott Heyland

- Mr. Heyland commented on the collection of donations, there should be passing the hat and handling of money; all donations should come through the Treasurer's Office. This should be investigated for options on how to get donations from events to the town office.

040417-10 Motion made by Gary Latulippe and second by Richard Dolliver to accept the Parks & Recreation's proposal for Music in the Park; approved 5-0.

8.3 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 13, 2017 Annual Town Meeting

Selectman Dolliver

Expressed concerns about the ordinance amendment that pertains to flashing and intermittent lights as it affects lights during the holiday season. He asked if wording could be changed to allow during holiday season.

CEO Heyland explained the affects of the ordinance change; he will review and come back to the Select Board with a change.

This agenda item was moved to the April 11, 2017 Select Board meeting.

8.4 Update on Town Manager Search Committee - John Daley, Vice Chair
Update on the Progress of the Town Manager Search Committee

Selectman Daley stated that the Search Committee is moving rather aggressively as the Charter dictates the process.

Mr. Daley stated 16-17 resumes have been received; ads for the position are on the Maine Municipal website, Town website and JOBSINME.com website. These ads were posted before the first meeting of the Town Manager Search Committee.

8.5 Select Board Action on Request for Funding of Recruiting Retainer - John Daley, Vice Chair

Selectman Daley stated that the Search Committee needs recruiters to help them. A part of the Charter regarding this committee states that the town must contact Maine Municipal Association to aid in the process. Maine Municipal charges \$4000-\$5000 to assist a municipality; but at this time they are unable to assist as they are working with 6 towns presently to find a Town Manager.

Since the last time this board met, the committee has found a firm to assist them for the sum of \$8,000. The committee recommends the firm, Eaton Peabody; it is a highly reputable company.

It was the consensus of the Select Board to move ahead with contracting Eaton Peabody to assist with the Town Manager Search Committee.

9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS

Chair Dailey stated that item 9.1 was covered earlier in the agenda.

10.0 OTHER BUSINESS

Chair Dailey

- Stated that this was not an advertised item for the agenda, but brought up the topic of marijuana moratorium on commercial use.

Selectman Daley

- Stated that there has been no noise from the residents; the majority of the registered voters voted for this.
- Commented on the Federal Laws that address marijuana.

Selectman Dolliver

- Stated that he echoes comments from Selectman Daley.
- As elected officials your obligation is for the will of the people, 538 +/- voted for the legalization.
- Many things in this town are contingent to state permits, which will not have anything until February 2018.

CEO Heyland

- Stated the commercial use is quite different from the personal use; this moratorium would be for the commercial use.
- A moratorium is a temporary measure, not a change in the ordinance. A moratorium allows time for the town put together all their rules and see what other communities are doing.

Selectman Latulippe

- Stated that he feels that a moratorium is for emergencies; does not feel this is an emergency. Asked the CEO to keep the Select Board apprised of any changes in the law.

Chair Dailey

- If the Select Board does a moratorium it would be for 90-days, which would carry it to the election in June. At that point it would be up to the voters to authorize a moratorium for 180 days. If the moratorium passed, after the first 180 days the Select Board would have the authorization to extend it for another 180 days. Or can wait until June and put a warrant article forward to the voters.
- The Board will continue this on the April 11, 2017 agenda.

11.0 MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP**11.1 Public Input****Kirsten Ross, Highland Avenue**

- Comments regarding her request to address the potential conflict of interest problem.

Boriana Dolliver, Shore Road

- Comments about the conflict of interest issue being personal.

Jack Connerty, 46 Woodland Hills

- Comments about recusal of board members.

11.2 Select Board**Selectman Latulippe**

- Thank you to the three individuals who stepped up to take active roles in committees.
- Comment regarding Planning Board Ordinance change regarding the lighting amendment. Stated that he has a lot of respect for the Planning Board.
- A comment regarding the Comprehensive Plan Survey, the survey is a tool not the will of the voters.
- Comments regarding OVS, full support of the current proposal.

Selectman Daley

- Stated that he had made an uncalled for statement at a prior meeting, apologized for that statement.

Selectman Dolliver

- Comments regarding procedural issues.
- Comments regarding the state of the town infrastructure and the need to borrow money to fix everything.

Chair Dailey

- Comments regarding the Comprehensive Plan Survey; it's an important tool to garner the pulse of the community.
- Comments regarding the OVS proposal, significant support in the Comprehensive Plan Survey.
- The next step of the Comprehensive Plan Committee is to do a thorough review of the survey results.
- Comments regarding Conflict of Interest issue.

12.0 EXECUTIVE SESSION**12.1 Personnel Matter [Pursuant to Title 1, Chapter 13S405.6.A]**

Motion made by Gary Latulippe and second by Richard Dolliver to go into Executive Session at 8:29pm; approved 5-0.

Motion made by Gary Latulippe and second by Richard Dolliver to come out of Executive Session at 9:27pm; approved 5-0.

No action was taken during Executive Session

040417-10 Motion made by Gary Latulippe and second by Richard Dolliver to enter into an Agreement with Don Gernish to serve as Interim Town Manager for 3 days per week at the rate of \$650 per day; approved 5-0.

13.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting at 9:32pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager