



**SELECT BOARD  
MEETING MINUTES  
AUGUST 1, 2017**

**1.0 COMMITTEE INTERVIEWS - 5:30PM**

**1.1 Historic Preservation Commission**

The Select Board met with David Barton regarding his application for the Historic Preservation Commission.

**1.2 Zoning Board of Appeals**

The Select Board met with Carole Aaron regarding her application for the Zoning Board of Appeals.

**2.0 CALL TO ORDER: 6:00**

Meeting called to order at 6:00pm.

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

Others present: Donald Gerrish, Interim Town Manager

**2.1 Pledge of Allegiance**

The Pledge of Allegiance was recited by those in attendance.

**2.2 Select Board Minutes - July 25, 2017**

The minutes of the July 25, 2017 Select Board meeting were approved as amended; motion made by Robert Winn, Jr. and second by Madeline Mooney; approved 5-0.

### 3.0 TOWN MANAGER'S REPORT

Mr. Gerrish requested that an item be added to the agenda under 10.3, which would be to go into Executive Session to discuss a Personnel Matter (about the Town Manager). He stated that there wouldn't be any announcement at this meeting regarding the Town Manager position.

#### **Lifeguards**

Mr. Gerrish reported that the Ogunquit Lifeguards won the Lifeguard Competition that was held on July 29<sup>th</sup>. Congratulations for a job well done!

#### **Beach Street Engineering**

Mr. Gerrish reported that on Wednesday night, August 16<sup>th</sup> at 6:00PM the second public hearing will be held. CES will be back talking about work they have, it will include some preliminary conceptual ideas on how to deal with the bathroom situation. The information will be posted on the Town of Ogunquit website.

#### **Rules of the Select Board**

Mr. Gerrish stated that there will be a Select Board workshop meeting on Monday, August 7<sup>th</sup> at 6:00pm regarding the proposed "Rules of the Select Board". A draft of the proposal is on the Town of Ogunquit website.

#### **Revenues**

Mr. Gerrish reported on revenues from parking in the month of July, the weather was not as good as it could have been but considering this, the revenues were only about \$14,000 less than was taken in last year at this time.

#### **Fiscal Year End 2016-2017**

At the next meeting on August 15<sup>th</sup> the Treasurer will be present to give the Select Board an update on the final numbers. He will also be making recommendations for transfers.

#### **Bathrooms**

Mr. Gerrish informed the Select Board that all the bathrooms have been power washed and cleaned. This will be continued on a weekly basis.

### **Parking Meters**

Mr. Gerrish reported that the five (5) new parking meters have come in and the town is working to get them installed. A progress update to the Select Board is scheduled for August 15<sup>th</sup>.

### **Perkins Cove Lot**

The parking spaces, parking lanes and cross walks are scheduled to be repainted.

### **Special Town Meeting - November 7, 2017**

The Select Board received a timeline for the Special Town Meeting for November 7, 2017. The deadline for items to be on the ballot for November is September 15<sup>th</sup>. At this time there are some zoning items and a marijuana ordinance that should be placed on the warrant.

## **4.0 APPOINTMENTS, RESIGNATIONS, PROCLAMATIONS, RESOLUTIONS**

### **4.1 Historic Preservation Commission - Appointment**

This agenda item was tabled until the next meeting of the Select Board, August 15, 2017.

### **4.2 Zoning Board of Appeals - Appointment**

**080117-01** Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Carole Aaron as 1<sup>st</sup> Alternate member of the Zoning Board of Appeals, term to expire June 30, 2018; approved 5-0.

### **4.3 Animal Control Officer - Reappointment**

**080117-02** Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Everett Leach as Animal Control Officer for the Town of Ogunquit, term to expire June 30, 2018; approved 5-0.

### **4.4 Emergency Management Director - Reappointment**

**080117-03** Motion made by Richard Dolliver and second by Madeline Mooney to appoint Mark O'Brien as Emergency Management Director for the Town of Ogunquit, term to expire June 30, 2018; approved 5-0.

**4.5 Local Health Officer - Reappointment**

**080117-04** Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Scott Heyland as Local Health Officer for the Town of Ogunquit, term to expire June 30, 2020; approved 5-0.

**4.6 Registrar of Voters - Reappointment**

**080117-05** Motion made by Robert Winn, Jr. and second by Richard Dolliver to appoint Christine L. Murphy as Registrar of Voters for the Town of Ogunquit, term to expire June 30, 2018; approved 5-0.

**5.0 PUBLIC INPUT (CURRENT AGENDA ONLY)**

**Bill Sawyer, 58 Grasshopper Lane**

- Full time resident, Chair of the Budget Review Committee and Chairman of the Board of Trustees for the Ogunquit Sewer District.
- Would like to discuss the letter that is on the agenda from the Roby's Pond Association.
- Stated that the Board of Trustees for the Ogunquit Sewer District takes exception to this letter; numerous facts misrepresented in the letter.
- Mr. Sawyer reviewed the process that they have been through regarding land purchases.
- Mr. Sawyer read what the function of the Ogunquit Sewer District is.

**6.0 PUBLIC HEARING - LICENSE APPLICATIONS**

There were no Liquor License applications on the agenda to act upon.

**7.0 PUBLIC HEARINGS & PRESENTATIONS**

Public Hearing opened at 6:22pm.

**7.1 Ogunquit Rotary - Beach Wheelchair Presentation to Town**

Presentation of a new Beach Wheelchair to the Town of Ogunquit by Ogunquit Rotary

Bob Cruickshank (11 Green Needle Lane) and Ed Smith, members of the Ogunquit Rotary were in attendance to present JP Argenti, Lifeguard Captain of the Ogunquit Lifeguard Service (Fire-Rescue Department) a new Beach Wheelchair (5<sup>th</sup> one) for use at Ogunquit Beach.

**080117-06** Motion made by Richard Dolliver and second by Robert Winn, Jr. to accept, with gratitude, the Beach Wheelchair from Ogunquit Rotary; approved 5-0.

**7.1 Comprehensive Plan Committee Update - Steve Wilkos, Chair, Comprehensive Plan Committee**

Steve Wilkos, along with Cathy Connor and Lee Jay Feldman presented a power point slide show regarding the progress of the committee.



# TOWN OF OGUNQUIT

## Comprehensive Plan Committee August 1, 2017 update



### Background

Approximately every 10 years the Town of Ogunquit is mandated to revise its Comprehensive Plan. The Comprehensive Plan refines our vision and guides our strategies for the future.

The Town hosted workshops to begin the process of obtaining information and feed back from participants.

On April 19, 2016 the Town established a Comprehensive Plan Committee to update the Comprehensive Plan.



### Comprehensive Plan Committee Members

Steve Wilkos, Chair Newell Perkins, Vice-Chair Carole Aaron, Secretary Kirk Lavoie, Technical Specialist	Boriana Dolliver Louesa Gillespie Ben Hershenson Charley LaFlamme Janel Lundgren Bill Woods
---	--

Scott Heyland, Ogunquit Land Use Director  
 Maryann Stacy, Land Use Office Administrative Assistant

Former Members  
 Barbara Dailey, Select Board Chair and Committee Liaison  
 Karen Arel, Chamber of Commerce  
 Roger Brown  
 Mark Macleod (resigned to join Planning Board)  
 Mark O'Brien, Acting Town Manager

### Accomplishments Timeline

1. Comprehensive Plan Update Committee formed April 2016
2. Information gathering survey drafted December 2016
3. Information gathering survey launched January 2017
4. Information gathering survey closed March 2017
5. Information gathering survey results analyzed March 2017
6. Information gathering survey results presented to the public April 2017






Information Gathering Survey

1. Survey developed, taken and analyzed with the Survey Monkey tool
2. The survey had 55 questions
3. The survey could be taken online or using a paper copy
4. The survey took a pproximately 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

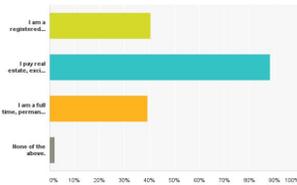
15. Rank the manner in which you learn about or follow local issues, events, volunteer opportunities, town committee vacancies, with #1 being the most utilized.

1	Town of Ogunquit website
2	Attend Town board or committee meetings
3	Chairman of Commtee website
4	Live streaming of meetings
5	Newspapers
6	WOGT - Channel 5
7	Social Media
8	Public notice postings around town
9	Email notifications

6



Q1: Please tell us about yourself (select all that apply).  
Answered: 710 Skipped: 0



Powered by SurveyMonkey



Projected Timeline

1. Completion of Draft Inventory Chapters by SMPDC August 14, 2017
2. Comments and Adjustments to Inventory per Comprehensive Plan Committee September 30, 2017
3. Completion of Draft Goals, Policies, and Strategies by SMPDC October 31, 2017
4. Comments and Adjustments to Goals, Policies, and Strategies per Committee December 15, 2017
5. Draft document available for Public Review February 28, 2018
6. Public Hearing(s) between February 28, 2018 and March 30, 2018
7. On the June Town Warrant June 20, 2018



8

Southern Maine Planning and Development Commission (SMPDC)

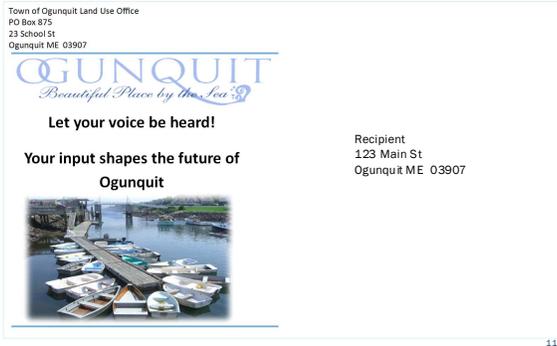
- SMPDC contracted by the Town to develop the Inventory chapters and Goals, Policies, and Strategies sections of the Comprehensive Plan
- SMPDC representatives are Kathy Connor and Lee Jay Feldman
- SMPDC has completed these Inventory chapters to date:
  - Housing
  - Population & Demographics
  - Sea Level Rise
  - Transportation
  - Aging in Place
- The Comprehensive Plan Committee participated in two meetings to date to review the Inventory chapters

9



Reference slides

Front of postcard mailed in January 2017



Back of postcard mailed in January 2017



Press Release Issued in January 2017

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 revise the Town Comprehensive Plan. The Plan, last modified in 2005, will provide a guide for future action by the town government to maintain and enhance the quality of life in Ogunquit.

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 posted public notices, announcements at all town committee and board meetings, information on the Town website, Facebook and iWoods. 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.

FM: 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

Cathy Connor, SMPDC, reviewed the inventory chapter of the Comprehensive Plan Update. The next part of the process is the goals, policies and strategies where the committee will actually start planning the future of the town.

The meetings of the Comprehensive Plan Update Committee are posted to allow the public to attend as the committee works towards goals, policies and strategies.

Selectwoman Mooney asked about the certification of the Comprehensive Plan once it is completed.

Ms. Connor explained that the State (of Maine) lays out the mandate of the sections for a State Certifiable Comprehensive Plan. The format that Ogunquit is pursuing right now does not comply with the mandates. It would not be very difficult to add the sections mandated by the State; this is something the town could do in the future.

Selectman Dolliver asked Mr. Wilkos about the mailing done by the Comprehensive Plan. Mr. Wilkos explained that the committee mailed out 3,000 postcards and that 400 did not make it to the intended target. The committee used three different lists, the residents list, business list and the voter list. They utilized an algorithm to eliminate duplicate addresses, but the determined that algorithm used was incorrect and that is why 400 targets did not receive the postcard.

Selectwoman Mooney asked about the survey and the percentage that replied; is it reflective of the actual community.

Kirk Lavoie responded to Ms. Mooney's question.

Selectman Daley asked how the percentage response compared to other communities.

Cathy Connor responded; stated that Ogunquit's response was much better than other communities.

Chairman Waite asked about the grant writing and having the Comprehensive Plan Certifiable.

Cathy Connor stated that it would take a good 2-3 years to complete and plan for the effort.

## 8.0 ADMINISTRATIVE ITEMS - UNFINISHED BUSINESS

### 8.1 Roby's Pond Association

Select Board Review of the Request from Roby's Pond Association

Madeline Mooney recused herself from discussion as her husband is a Trustee for the Ogunquit Sewer District.

The Ogunquit Sewer District is a separate entity from the Town. Mr. Gerrish stated it is the Board's decision on how they want to react to this letter, if they want to react to it.

To the new Select Board of Ogunquit, Maine:

30

We of the Roby's Pond Association, a group of more than 40 homeowners and taxpayers on and near Roby's Pond, wish to make sure this new board is aware of what almost happened last month regarding the Ogunquit Sewer District and our neighborhood. The District almost purchased a totally inappropriate ten acre parcel of land in the middle of our old established neighborhood for a future plant relocation.

The Roby's Pond Association requests that the Select Board and town leadership take a more active role in the decision making process for the Town of Ogunquit's waste water management planning. This should include spearheading a comprehensive plan which prioritizes the needs of our town, not the sewer department's nor that of engineering consultants who answer to a quasi-corporate entity. This acquisition or any future acquisition, after all, would be financed by the residences and businesses who are current ratepayers. We request the establishment of a Special Commission to address all options for both sewer and septic long term planning. We all need a Sewer District with a transparent and fiscally responsible operating plan before the next unfortunate neighborhood is targeted.

Respectfully submitted,

The Roby's Pond Association

Selectman Daley stated that his only concern is that formation of another committee would create a situation where they would butt heads (with the OSD).

A representative from the Roby's Pond Association was present; she stated that there was a disconnect in the past and going forward there needs to be a group

that will report to the Select Board and keep the communication open and aware of what's going on. She stated that she was unaware of the land situation as she is not a user of the OSD. Stated that she was surprised that the Select Board were unaware of the possible purchase of the land off Captain Thomas.

**Bill Sawyer, OSD Trustee**

- Reviewed the projects that have been completed and the rates to the users.
- Reviewed the process that they have done to move forward with the rise in sea level issue and to purchase land for the future.
- Stated that all information regarding this project is on the OSD website.
- Mr. Sawyer stated that they have had ongoing conversations with Wells Sewer District. They are in the same position as the Town of Ogunquit with the possible issue of having to move the treatment plant in the future.

Interim Town Manager Gerrish stated that it seems to him that this is an issue of communication; he would suggest that after talking with the Chair of the OSD Trustees that they OSD report to the Select Board quarterly or every six months to start the line of communication.

8.2 **Update on Code of Ethics for Boards & Committees** - Don Gerrish, Interim Town Manager

Mr. Gerrish stated that he had sent the proposed draft to Jensen Baird Gardner & Henry for review by an attorney. The attorney came up with some changes, much more detail in this draft. He is looking for input from the Select Board; and to also send it to all the Boards & Committees for their review and input.

Once it is reviewed by the Boards & Committees it will come back to the Select Board for action.

Comments made by Selectman Daley and by Selectman Dolliver on the length of the policy.

**080117-07** Motion made by Madeline Mooney and second by Richard Dolliver to share the draft prepared by Interim Town Manager Gerrish to the Boards & Committees for their feedback; approved 5-0.

**9.0 ADMINISTRATIVE ITEMS - NEW BUSINESS**

9.1 **Great Works Regional Land Trust** - Donald Gerrish, Interim Town Manager  
Request to periodically use A-frame type signage for events

**Darrell DeTour, 530 Little River Road, Lebanon**

- Stewardship Director, Great Works Regional Land Trust

Mr. DeTour was in attendance to request that they be able to occasionally use an A-Frame type of sign. He stated that he had read the ordinance as it is currently written allows five (5) organizations to utilize A-Frames to a total of eight (8), but it also allows the Board of Selectman allow additional A-Frames for similar organizations. He stated that he considers them a similar organization; they are a non-profit 501 (c) 3.

Mr. DeTour brought a sample of the sign that they would use. He stated that it would not be on public property, but mostly on their property at Meadow Lane Extension and Beach Plum Farm. The sign would be used during the event for 2-3 hours at a time. The intent is not to have them up permanently, just during the event.

CEO Heyland stated that this sign would not have anything to do with the Special Events that is a different ordinance. This request falls under one of the exceptions which actually suggest that the Select Board can review requests and approve those requests. Mr. Heyland gave a review of the history of the use of A-Frames and the ordinance.

Mr. Gerrish suggested that deal with issue before you if you want to allow the sign that meets this ordinance. Also suggested that this ordinance be sent back to the Planning Board for review as a Manager coming in and reading it and trying to understand exactly what role and what authority the Manager has is not clear at all. There is a history to this; it is legitimate for them to request it. We believe it will meet within the eight (8) sign limit.

It was the consensus of the Select Board to send this ordinance back to the Planning Board for review.

**080117-08** Motion made by Madeline Mooney and second by Robert Winn, Jr. to grant the request from Great Works Land Trust for periodic usage of an A-Frame Sign pursuant to 8.12 of the Ogunquit Zoning Ordinance; approved 4-1, Dolliver in opposition.

Selectman Dolliver stated that are setting a precedent that any 501(c) 3 could come forward and ask for A-Frames mostly on their property.

Selectwoman Mooney asked the number of events that GWRLT would have over the course of a year. Mr. DeTour stated that it would be two (2) events.

**10.0 MISCELLANEOUS BUSINESS - ORAL & WRITTEN COMMUNICATIONS - FOLLOW-UP****10.1 Public Input****Amy Forbes, 103 Perkins Cove Road**

- Comments regarding the placement of the parking meters in Perkins Cove.

**Peter Kahn, 3 Tern Street**

- Comments regarding the cancellation of the Sand Castle Contest.

**Jack Connerty, 46 Woodland Hills**

- Member of ORA (for the record).
- Commented on the events at the last meeting of the Select Board regarding the lack of reappointment of a committee member.
- Commented on the investigation that was done the flyer mailer.

**Rob Fogarty, 24 School Street**

- Congratulations to the Lifeguard Service, they did a great job.
- Asked that the Select Board reconsider appointing Boriana Dolliver to the Parks & Recreation Committee.

**Wendy Levine, Obeds Lane**

- Comments regarding the last Select Board meeting and harassment after the Board meeting.
- Commented on the need for clear direction for those running for office and support of articles by next year.

**Kirk Lavoie, 17 Glenn Avenue**

- Comments regarding Route One where KK& W Water District had to dig it up due to a break in the main. Wanted to know when this was going to be repaired.
- Commented on the concern regarding the election of the Select Board Chair at the first meeting of the Board.
- Commented on the "Ethics Policy" that is posted on the website. Since this was signed by the prior Board, does this Board need to acknowledge the policy?
- Commented on respect, ethics and integrity regarding the Planning Board meeting that was held in July and Planning Board member.

**Lauren Fogarty, 24 School Street**

- Comments regarding the role of Boriana Dolliver as a member of the Parks & Recreation Committee.

- Asked for an actual explanation or reason for the lack of reappointment.
- Comments regarding the Select Board meeting last Tuesday.

**Rebecca Fox, 21 Marginal Avenue**

- Stated that she had two appreciations tonight, asked that "appreciations" be on the agenda as the final item.
- Stated that last night "Music in the Park" was amazing, appreciation to Jason Corbin and the volunteers.
- Stated that she appreciated the Ogunquit Post Office.

**Janice Wooldridge, Wells, Maine & Taxpayer**

- Commented on her e-mail to Selectman Winn and lack of acknowledgement.
- Comments regarding the lack of transparency and integrity by three members of the Select Board.
- Comments regarding the lack of reappointment of Boriana Dolliver.

**Frank Dunbar, 3 Myrtle Circle**

- Commented on the reconsideration of Boriana Dolliver as a member of the Parks & Recreation Committee.
- Commented on another appointment made by the Select Board.
- Commented on Facebook® posts after the last Select Board meeting, read some of the posts.

**Peter Kahn, 3 Tern Street**

- Commented on ORA and its official site, be careful what you are reading on unofficial site.

**Barbara Ferraro, Ocean Heights**

- Thanked the Select Board, in particular the new members for what they are bringing to the table.

**Wendy Levine, Obeds Lane**

- Stated that she was one of the three women who were harassed at the last meeting.

**Boriana Dolliver, 331 Shore Road**

- Commented on the Chair's comment that based decision on report; asked the Interim Town Manager what the conclusion of the report was.
- Stated that she didn't know what the bad intention was (regarding the mailing of the flyer).
- Explained why the Sand Castle Contest was postponed.
- Commented on ORA meeting minutes, the lack of minutes.

- Asked Mr. Gerrish how many e-mails were received last week regarding her reappointment.

**Frank Dunbar, 3 Myrtle Circle**

- Commented on the harassment issue.

**Don Gerrish, Interim Town Manager**

- Mr. Gerrish stated that tomorrow, on the web page, there will be a list of policies that he is proposing to the Select Board. Part of it is decorum at meetings, suggested that the public take a look at it.

**Jason Corbin, Parks & Recreation Committee**

- Commented on the Parks & Rec mailing.
- Stated that it is important that there is a liaison from the Select Board to the committee.
- Asked them to think about the process.
- Stated that he is moving forward, need to do positive things in the community.
- It is important to thank the people that volunteer their time.

**Pamela Sawyer, 58 Grasshopper Lane**

- Stated that she is a member of the Conservation Commission.
- Stated that she agreed with everybody that said we need to move forward.
- This has been a tremendously difficult year for the town.
- Stated that she read the entire Code of Ethics, had a couple of issues.
- Should be a brief two page statement; but there are processes and policies that go behind it.

**Lesley Mathews, 13 High Ridge Lane**

- Commented on the ordinance for Wheeled Goods.
- Wanted to know how anyone is supposed to know that this ordinance exists.
- Stated that she printed it out and has handed it out to people.

**Jack Connerty, 46 Woodland Hills**

- Commented on the allegations of harassment, stated he was with the three women.
- Spoke about the anger expressed at the Select Board meeting by members of the public.

**Selectman Daley** read an e-mail from Robert Pinkham, co-owner of the Roost Café, which was submitted to the Select Board to be read at the meeting.

## 10.2 Select Board

### **Selectman Dolliver**

- Commented that he missed the "Music in the Park" last night, heard it was wonderful. Stated that he missed it as he was at a fundraiser at the Front Porch for the *Children's National Institute of Health*. He believes that they raised just under \$30,000 last night.
- Bruce Brown, *Brown's Garage*, was laid to rest.
- Would love to see the lines painted on Shore Road, has spoken to Town Manager about it.
- Received a real nasty e-mail about the bathrooms, the bathrooms were disgusting at Main Beach.
- Stated that he was still going to push J1 housing for employees next season, would really help with the bathroom cleanliness.
- Questioned by Mr. Kahn at one point that this Board should investigate things.
- The Select Board does have the right to appoint or not appoint someone. His investigation, going back as far as 1985, shows that not once has the Select Board not reappointed a committee member.

### **Selectman Daley**

- Stated that we have been asked by many residents to revisit the issue, the Board should respond whether they will revisit it or not; being silent not right way to do it.
- Should consider revisiting it, if not say we are not.

### **Selectman Winn**

- Commented that at the last meeting two committee members asked for a liaison the Board should really do something about it.

### **Selectwoman Mooney**

- Explained her vote from last week regarding Borianna Dolliver. It has to do with truthfulness and respect.
- Commented on the complaints regarding the state of the bathrooms, her goal is to move forward get something done

### **Chairman Waite**

- Appreciates everyone having a dialogue tonight.
- Comments regarding leadership and moving forward.
- Stated that he doesn't intend to revisit the issue regarding the appointment of Borianna Dolliver.

- On the cusp of hiring a new Town Manager that will move the town forward in a positive direction.
- Comments regarding Board Liaisons.
- Asked the public to consider - "What can you do to make Ogunquit a better place" and to be a little more tolerant.

**10.3 Executive Session**

Motion made by Robert Winn, Jr. and second by John Daley to move into Executive Session at 8:32pm to discuss Personnel Issues pursuant to Title 1, Chapter 13§405.6.A; approved 5-0.

No action taken during Executive Session.

**11.0 ADJOURNMENT**

Motion made and seconded to adjourn the meeting; approved 5-0.

Respectfully submitted,

---

Cheryl L. Emery, Administrative Assistant to the Town Manager