



**SELECT BOARD
SPECIAL MEETING MINUTES
AUGUST 7, 2017**

1.0 CALL TO ORDER

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

2.0 NEW BUSINESS

2.1 Contract for New Town Manager - Patricia Finnigan

Interim Town Manager Gerrish reviewed the process for the hiring of the new Town Manager.

He stated that a proposed agreement with Patricia Finnigan is before the Select Board for approval. Ms. Finnigan has signed the agreement, so is in agreement with it.

080717-01 Motion made by Robert Winn, Jr. and second by Madeline Mooney to accept the Town of Ogunquit Employment Agreement with Patricia Finnigan for Town Manager for the Town of Ogunquit; approved 5-0.

3.0 ADJOURNMENT

Motion made by Robert Winn, Jr. and second by Richard Dolliver to adjourn the business meeting at 6:04PM; approved 5-0.

4.0 WORKSHOP - BOARD PROCEDURES

The Select Board held a workshop regarding suggestions put forth by Mr. Gerrish on Select Board procedures.

Mr. Gerrish thanked the Select Board and the citizens of Ogunquit for the opportunity to serve as Interim Town Manager for the Town of Ogunquit.

Mr. Gerrish stated that he had put together a list of suggestions and thoughts for the Select Board and the new Town Manager to consider as (you) go forward.

He stated that he is the official Interim Town Manager until Monday morning (August 14th) and which time Pat Finnigan will become the new Town Manager.

Suggestions made by Mr. Gerrish;

Final Thoughts and Suggestions for Ogunquit 8/7/17 Don Gerrish Interim Town Manager

- 1) Review Organization Chart for possible changes.
- 2) Look at combining positions of Director of Public Works and Director of Administrative Services.
- 3) Select Board needs to set goals for 2017
- 4) Review process and policies of issuing Parking permits.
- 5) Adopt sound and comprehensive policies for the Select Board to follow.
- 6) Review all Committees and Boards descriptions and composition to determine if they are current and are doing what Ogunquit wants.
- 7) Review all policies and fees for parking lots in Ogunquit.
- 8) Review requirements for Business License Registrations.
- 9) 3 year Contract with Ogunquit Trolley is up for review and needs action before October 15, 2017.
- 10) Main Beach Bathrooms and Life Guard facilities need a plan for updating.
- 11) Determine exact location and width of Perkins Cove Road across Billy's' parcel in Perkins Cove.
- 12) Resolve width of Norseman Lane.
- 13) Town should decide on Legal firm to handle all legal issues.
- 14) Decide on how recycling will be done at all beaches and parking lots.
- 15) Consider having a contract with Engineering Firm/Consultants to assist with writing RFP's, Bids and estimating costs for Warrant articles.
- 16) Review existing Town Policy concerning Assessing for 2018
- 17) Prepare new CIP for potential funding in 2018

- 18) Review arrangement with Chamber of Commerce for 4th of July fireworks and cost.
- 19) Look at making amendments to Charter concerning process of hiring a new town manager.

Many of the issues listed above will need to be reviewed and possible changes recommended. The new Town Manager and Select Board will need time to prioritize a course of action and time to accomplish results.

The proposed "Rules of the Select Board" were reviewed by the Select Board:

**TOWN OF OGUNQUIT
07/31/2017 Draft
SELECT BOARD RULES**

The Select Board shall transact all official business at a public meeting. The following items deal with the transaction of business at official meetings of the Select Board.

1. Right to Know

Except for Executive Sessions, the proceedings of all meetings of the Select Board are open to the public and broadcast on WOGT and streaming on the Town's web site

2. Rules of Order

Roberts Rules of Order shall govern the proceedings of all Select Board meetings.

3. Regular Meetings and Workshops

Regular meetings of the Select Board shall be held on the first (1st) and third (3rd) Tuesdays of the month at the Dunaway Community Center starting at 6:00pm. Workshops of the Select Board may be scheduled at regular Select Board meetings or on other dates and times to accommodate the Select Board's schedule.

Select Board members will be furnished with the date, time and place for each meeting along with an agenda and meeting material which information will also be posted on the Town's website. This information will be provided by the Town Manager's Office no later than 4:00pm on the Friday before the Regular Meeting or Workshop.

4. Special and Emergency Meetings

Special and Emergency Meetings of the Board may be called by the Chairman, or in the absence of the Chairman, by the Vice Chairman, or by a majority of the Board. The Select Board will be furnished with the date, time and place and an agenda (if necessary) by the Town Manager's Office. Meeting notification requirements are pursuant to State Statute.

5. Requests for Agenda Items

All Select Board requests for regular meeting agenda items must be submitted to the Town Manager along with supporting background material, or a position paper the Wednesday prior to the scheduled meeting date. The Chairman of the Board shall review agenda requests with the Town Manager to assure proper background and staff support has been afforded the item requested. If, in the opinion of the Chairman additional information and/or study are required, the requested agenda item will be postponed until proper preparation has been made. The Chairman of the Board will subsequently notify the affected Select Board member.

If the Chair refuses to place an item on the agenda that has been properly prepared, the written request of one Board member is sufficient to place the item on the Agenda for the next regular meeting.

6. Order of Business

- Call to Order
- Pledge of Allegiance
- Minutes
- Manager's Report
- Appointments/Resignations/Proclamations/Resolutions
- Citizen Forums (Items not on the agenda)
- Public Hearings
- Presentations
- Unfinished Business
- New Business
- Miscellaneous Business
- Select Board Announcements
- Adjournment

7. Majority Vote

Three (3) affirmative votes are required for the transaction of business.

8. Select Board Action on Items

The following procedures are suggested:

1. Sponsor or Manager introduces and explains the item. Sponsor, Manager, staff, or others (as designated by sponsor or Manager) provide additional explanation or information. Any Select Board member may make a motion.
2. Select Board questions (no debate).
3. Public input.
4. Additional questions from Select Board (no debate).
5. Chair recites motion, if already made, or looks for motion (Note 1).
6. Select Board debate.
7. Amendments to motion (optional) and debate.
8. Vote on motion (amended, if applicable).

The passage, adoption or enactment of any item shall require three (3) votes on the prevailing side.

9. Public Forum period and guidelines:

- A. *A Public Forum period for up to thirty (30) minutes shall be included at the beginning of every regularly scheduled Select Board meeting to allow citizens an opportunity to comment on non-agenda items or issues relevant to the performance of the duties of the Select Board.*
- B. *During the Public Forum period, speakers will not exceed a time limit of three (3) minutes.*
- C. *Citizens speaking during the Public Forum period must follow the same rules of decorum as described below.*
- D. *Citizens speaking during the Public Forum period may not make any comments that:*
 - i. *Disparage individual Select Board member, Town staff or other citizens;*
 - ii. *Address specific situations that are in litigation, including situations where the Town is a party to the litigation;*
 - iii. *Pertain to any personal disputes between themselves and other residents; or*
 - iv. *Make any comments referencing support or opposition for any candidate for political office or political causes.*

10. Decorum and Order

The Chair shall preserve decorum and decide all questions of order and procedure, subject to appeal to the Select Board

- A. *During the Select Board meetings, Select Board members shall preserve Order and Decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the order of the Chair or the Rules of the Select Board. Select Board members desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine themselves to the question under debate and shall avoid all personalities and indecorous language. A Select Board member, once recognized, shall not be interrupted while speaking unless called to order by the Chair, unless a point of order is raised by another member or unless the speaker chooses to yield to questions from another member. If a Select Board member is called to order while speaking, the Select Board shall cease speaking immediately until the question of order is determined. If ruled to be in order, the Select Board member shall be permitted to proceed. If ruled to be not in order, the Select Board member shall remain silent or shall alter the remarks so as to comply with Rules of the Select Board. All members of the Select Board shall accord the utmost courtesy to each other, to Town employees and to public members appearing before the Select Board and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to*

motives and personalities. The Select Board shall confine their questions as to the particular matters before the assembly and in debate shall confine their remarks to the issues before the Select Board. Members shall be removed from the meeting for failure to comply with decisions of the Chair or for continued violations of the rules of the Select Board. If the Chair fails to act, any member may move to require the Chair to enforce the rules and the affirmative vote of a majority of the Select Board shall require the Chair to act.

- B. Members of the administrative staff and employees of the Town shall observe the same rules of procedure and decorum applicable to members of the Select Board. While the Chair shall have the authority to preserve decorum in meetings as far as staff members and Town employees are concerned, the Town Manager shall also be responsible for the orderly conduct and decorum of all Town employees under the Town Manager's direction and control. The Town Manager shall take such disciplinary action as may be necessary to insure that such decorum is preserved at all times by Town employees in Select Board meetings. Staff members or the Town Manager desiring to address the Select Board or members of the public shall be recognized by the Chair, shall state their name for the record, and shall limit their remarks to the matter under discussion. All remarks and questions addressed to the Select Board shall be addressed to the Select Board as a whole and not to any individual member thereof. No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the Chair.*
- C. Public members attending Select Board meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Select Board. Any person making personal, impertinent, and slanderous remarks or who becomes boisterous while addressing the Select Board or while attending the Select Board meeting may be removed from the premises if a police officer is so directed by the Chair, and such person shall be barred from further audience before the Select Board for the duration of the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Chair, who may direct a police officer to remove such offenders from the premises. Aggravated cases shall be prosecuted on appropriate complaint signed by the Chair. In case the Chair shall fail to act, any member of the Select Board may move to require the Chair to act to enforce the rules, and the affirmative vote of the majority of the Select Board shall require the Chair to act.*
- D. Public members desiring to address the Select Board shall be recognized by the Chair, shall state their name and address in an audible tone for the record, and shall limit their remarks to the question under discussion. All remarks and questions addressed to the administration of the Town shall be addressed to the Town Manager and not to any individual Town employee. No person shall enter into any discussion either directly or through a member of the Select Board without the permission of the Chair.*

11. Anonymous Communications

Unsigned communications may not be introduced in Select Board meetings.

12. Suspension of Rules

Any provision of these rules not governed by the Charter or code may be temporarily suspended at any meeting of the Select Board by a vote of four (4) or more Select Board members. The vote on the suspension shall be taken by yeas and nays and entered upon the records.

13. To Amend Rules

These rules may be amended or new rules adopted by majority vote of the Select Board. An amendment must be submitted in writing at a preceding meeting and shall be placed on the Agenda under the order of new business.

14. Correspondence to the Select Board

See attached proposed policy.

15. Town Mailings to Residents

Any Town financed mailings to Ogunquit citizens shall be approved in advance by the Select Board.

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**SELECT BOARD POLICY
ON CORRESPONDENCE ADDRESSED TO THE SELECT BOARD**

PURPOSE: *The Select Board receives correspondence from residents and business owners both on a wide variety of issues and in multiple formats. These formats may include regular mail, email and phone calls. The purpose of this policy is to establish a process by which written communications will be managed in order that the Select Board, staff and the initiators of such correspondence will have an understanding and an expectation of how the correspondence will be managed.*

- 1. GENERAL GUIDELINES:** *Any correspondence (written or electronic) received at the Town Office addressed to any Select Board member in their official capacity will be copied and made available to the full Select Board. Correspondence that is received at the Town Office but is addressed in a personal manner to a Select Board member shall only be shared with the full Select Board at the discretion of the Select Board member receiving the correspondence. The correspondence will not be referenced by the individual Select Board member unless copies have been made available to the full Select Board.*
- 2. EMAIL CORRESPONDENCE RECEIVED:** *The Select Board acknowledges that all emails received and sent that concern the government of the Town of Ogunquit are public documents regardless of the email account. (Personal accounts, accounts in*

the names of spouses etc. included). Email correspondence that is received at the generic email account in the Town Office will be responded to with a courteous reply by the Town Manager's Administrative staff. This response will be a limited acknowledgment that the email has been received and shared with the Select Board and senior staff. The response will not divulge the individual email addresses of the members of the Select Board. The response will include a disclaimer to the following effect: "Your message has been forwarded to the Select Board. Responses from individual Select Board members may or may not reflect any position of the full Select Board".

3. **EMAIL CORRESPONDENCE RESPONSES:** *Upon receipt of an email, a determination will be made to classify the correspondence as either a political or Select Board level policy issue or an administrative issue. Administrative staff as determined by the Town Manager will respond to the administrative emails with copies provided to the full Select Board. All emails that are of a political or Select Board level policy nature will be forwarded to the full Select Board and the Manager will await instruction before any response is provided by staff. Select Board members that respond individually to emails from constituents received via the Town Office will forward the response to the administrative staff so that the correspondence can also be shared with the full Select Board and the Town Manager.*

Workshop meeting ended at 7:38PM.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager