



**SELECT BOARD
MEETING MINUTES
NOVEMBER 7, 2018**

1.0 CALL TO ORDER: 6:00PM

Meeting called to order at 6:00pm.

1.1 Roll Call of Members

Members present: John M. Daley, Vice Chair
Richard A. Dolliver
Madeline S. Mooney

Members absent: Charles L. Waite, III, Chair

Motion made by Richard Dolliver and second by Madeline Mooney to excuse the absence of Charles L. Waite, III from the November 7, 2018 Select Board meeting; approved 3-0, Waite and Winn absent.

Others present: Patricia A. Finnigan, Town Manager

Selectman Winn will be arriving late as his team won the Division 2 Western Maine Championship and is being recognized by the School Committee at their meeting.

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited by some in attendance.

1.3 Select Board Minutes - October 2, 2018

Selectman Dolliver stated that he had corrections/edits to the meeting minutes.

Motion made by Rick Dolliver and second by Madeline Mooney to approve the minutes of the October 2, 2018 Select Board meeting as amended; approved 3-0, Waite and Winn absent.

2.0 LIQUOR & AMUSEMENT PUBLIC HEARINGS

Public Hearing opened at 6:04pm.

Selectman Dolliver commented on the Fire Department report and date on the Beachfire.

2.1 Beachfire - Malt, Spirituous & Vinous Liquor License Renewal

License was 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 Beachfire.

110718-01 Motion made by Richard Dolliver and second by Madeline Mooney to approve the Malt, Spirituous & Vinous Liquor License Application for the Beachfire; approved 3-0, Waite and Winn absent.

2.2 West Meadow Pub - Malt, Spirituous & Vinous Liquor License Renewal

License was 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 West Meadow Pub.

110718-02 Motion made by Richard Dolliver and second by Madeline Mooney to approve the Malt, Spirituous & Vinous Liquor License Application for the West Meadow Pub; approved 3-0, Waite and Winn absent.

2.3 West Meadow Pub - Amusement License Renewal

License was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer. There were no comments or questions from the public in attendance.

110718-03 Motion made by Richard Dolliver and second by Madeline Mooney to approve the Amusement License Application for the West Meadow Pub; approved 3-0, Waite and Winn absent

Public Hearing closed at 6:06pm.

3.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS

There were no presentations, proclamations, resolutions or communications to act on.

4.0 TOWN MANAGER'S REPORT

4.1 General Report and Update

Elections were held in this room yesterday, just wanted to discuss a few things.

First and foremost, thank you to everyone who worked so hard on the elections. Elections don't just happen on automatic pilot; people have to put a lot of work into making sure that our elections are successful in terms of the process. Thank you to Town Clerk Christine Murphy, Deputy Clerk Jo Anne Lepley and Cheryl Emery my Administrative Assistant who serves as Moderator and Warden throughout the day. We also have the assistance of ballot clerks who are very dedicated people, they get a small stipend, but it is basically volunteer work; a number of them have worked at the polls for many years: Marjorie Esau, Blanche Feinberg, Kay Hamlin, Frederica "Bunny" Hart, Leila Kupper and Tracy-Ann Leach. Also want to thank our Facilities and Parks Department because they get the room set up and the ballot/voting booths in place. We also had wonderful assistance this year from our Police Department as well as Fire Department. We had someone fall in the course of the day yesterday and our EMT's were over here in a flash, appreciate that very much.

As for the actual operations of the elections itself, this year Chris reported that we used one machine to process all the town ballots. Normally we use two machines, one for the state ballots and one for the absentee ballots. Because the State changed the process of how they do that this year, we only had to use the one machine and it went very, very smoothly.

The room was set up a little different than people were used to in the past; the Town Clerk received favorable reports from people on the set up. It went smoothly so that may be the way the room is set up in the future.

The town had 21 new voters register yesterday; everyone came prepared with all necessary documents and ID.

There were two groups in the room to provide information to the voters; one was the recall petition, one was the anti-recall petition and one was a group called

"Death with Dignity" who were hopeful to get enough signatures to put a question on the state ballot in 2020.

Some statistics; there were 859 voters, which is a 70% voter turnout. This was a great turnout. In November 2016 there were 921 people turn out to vote which was an 83% turnout. In June 2018 there were 567 voters for a 49% voter turnout.

We owe Town Clerk Chris Murphy a great debt of thanks, these elections are important to the town, you have one day to get it right. Elections do not happen without a lot of thought, preparation and experience.

This week the Fire Department did a training exercise using one of the vehicles that had been donated to the town recently. They were trying out a new "Jaws of Life" equipment. The Chief reported that it worked very, very well. They will be testing out another manufacturer then will be coming to the Select Board for authorization to purchase, which was part of the FY Budget.

The Police Department is still busy, weekends continue to be very busy in town. They are also transitioning into the winter months, a reminder that the department will do business checks and home checks if people sign up for them. Forms are available at the Police Department as well as on the Ogunquit Police Department Facebook® page.

The Public Works and Facilities & Parks Department have been very busy. This year they were in Perkins Cove working with the Harbormaster to remove the floats; and have been working for the last two weeks removing the posts and ropes at the beach. This is something that the state and federal governments requested be done to protect the endangered Piping Plovers.

They have been also been preparing for the winter months that are ahead of us.

Ms. Finnigan stated that are also in the process of drafting the Public Works Director ad so can get that out and underway, as people are anxious for this to take place.

The Transfer Station continues to be very busy, revenues are on track. One of things that is new to both the Transfer Station and the Public Works Department is how to handle dead seals. A workshop will be offered that the Transfer Station employees will be going to, this will address how to compost the dead seals properly.

The staff is finalizing their reports so that can meet with the Select Board regarding the season debrief. A workshop needs to be scheduled to do this.

At the last Select Board meeting the board authorized entering into a contract with DeStefano & Associates as Construction Manager to get the three bathhouse projects underway. The Construction Management Team is comprised of DeStefano & Associates, the architects, CWS Architects, the civil engineering firm of Branson Engineering, the structural engineer Becker Engineering and plumbing and HVAC is Bennett Engineering. Ms. Finnigan stated that she had formed an internal workgroup to work with the Construction Management Team; this will consist of the Town Manager, Scott Heyland, CEO, Darren Dixon, Facilities & Parks, and as well as a citizen group of Cindy Douglass, Lesley Matthews, Margie Katz, Fred Lynk, Priscilla Botsford, Milt Vargelis and Bob Winn. Ms. Finnigan stated that if anyone is interested in participating, they should contact her to make sure they are part of the process. She also stated that she is working with Jordan Freedman to get a page on the web page for the "Beach Bathhouse Project" to have meetings, minutes and information posted. Ms. Finnigan reviewed the discussion of the "Kick Off" meeting of the group.

Received concerns about the Shore Road lights being out, these are on timers and need to be reset. Discussion was held with the electrician about getting photo-electric lights which would allow the lights to come off/on and dawn and dusk.

Have received some concerns that there are not enough trash cans out, has asked for suggestions as to where the additional cans need to be located.

Continuing to receive concerns about short term rentals, this is an issue the town is continuing to struggle with. There is an ordinance in place regulating this issue, the town is responsible for enforcement.

Another issue that has been discussed quite a bit is the Purchasing Policy. Ms. Finnigan stated that when the Select Board recently did her performance evaluation this was one of the issues that was discussed. The Purchasing Policy needs to be updated, it is a goal of the Select Board. She stated that the Town Attorney, Mary Costigan, who specializes in Procurement and Purchasing Policies, will help update and upgrade the policy.

Another issue that has come at recent meetings is what Select Board members can say, write, communications; since this is a question that has come up at the podium, she has asked the town attorney to speak on that issue. This will be discussed at the training later in the meeting. Town Manager Finnigan asked that Attorney Costigan give an overview at this time.

Attorney Costigan:

- Stated that one of her biggest resources in Maine Municipal Association.
- There is an opinion that was made by the Attorney General on this exact point of political activity by town officials.
- Discussed political activity by town officials with the Select Board.

November 11th is Veteran's Day, which falls on a Sunday so that will mean town offices will be closed on Monday, November 12th.

4.2 FY19 Year to Date Finance Report

The following information was provided by Town Treasurer, John Quartararo.

The Town has completed the fourth month of the fiscal year, which is one-third or 33% through the annual budget.

Revenues:

As of October 31, 2018, the General Fund Revenues total \$13,751,476, which is 88.9% of the budget. The non-tax commitment revenues and use of Fund Balance would be roughly 33% of the budget and they stand at 70.5% collected.

- Property taxes are at 74.2% of budget. The first half of the property tax payments are due November 15th. The June 2018 Town Meeting voted to change the tax due dates from November 1 and May 1 to November 15 and May 15.
- Excise taxes collected are at \$147,136 or 34.65%.
- Building permit fees are at \$42,719 or 29.5%.
- Parking Revenues are at \$1,768,503 or 98.8% of budget. The parking lots are closed for the season and will reopen next spring which will allow for additional revenues to be collected.

Expenditures:

As of the end of October, the General Fund expenses and encumbrances totaled \$6,716,661 which is 43% of the authorized budget of \$15,460,936. Several Departmental expenditures are front loaded in the beginning of the fiscal year which accounts for them exceeding 33%. Examples of this include:

- Debt Management is at 87.6% due to principal payments being due in the fall (\$674,272).
- York County Taxes are paid in full as of October 26, 2018 (\$716,034).

- Recreation Committee is at 40% due to their programming occurring in the summer.
- Lifeguard Service is at 73% due to cost being incurred primarily between July-September. The lifeguards will start the season next spring.
- Insurance and Benefits are at 45% due to the timing for payments.

4.3 Citizen Financial Transparency Program - John Quartararo

Mr. Quartararo stated that one of the requests that he put forward in the proposed Fiscal Year budget that was approved at the Annual Town Meeting was to add a "Citizen Transparency" program as part of the Town's financial software. This program is now ready to be launched on the town's website. This program is a user-friendly program which allows people to see weekly reports on revenues and expenditures, including vendor payments. It is his hope that this will be a useful resource to the Select Board and the public to help make the town's finances more accessible.

5.0 APPOINTMENTS & RESIGNATIONS

5.1 Resignation - Charlene Taubert, Parks & Recreation Committee

110718-04 Motion made by Robert Winn, Jr. and second by Madeline Mooney to accept, with regrets and send a letter for appreciation, the resignation of Charlene Taubert from the Parks & Recreation Committee; approved 4-0, Waite absent.

5.2 Appointment- Planning Board 2nd Alternate

110718-05 Motion made by Richard Dolliver and second by Madeline Mooney to table this agenda item until the next meeting of the Select Board; approved 4-0, Waite absent.

Vice Chair Daley stated that the Planning Board Chair and Vice Chair still want to meet with the Select Board, and an agenda was supplied on October 18th with dates of availability. This meeting has not occurred, he stated that he would make himself available even if he had to take a vacation day. Asked that this meeting get scheduled, cannot send messages to boards that don't care what they have to say. It is important that have this meeting as soon as possible, ten months is way too long.

6.0 UNFINISHED BUSINESS

There was no Unfinished Business to act on.

7.0 NEW BUSINESS

There was no New Business to act on.

8.0 CITIZEN COMMENTS (For town topics not on the agenda)

The Select Board welcomes public comments and questions about Town-related issues that are not on the agenda. We ask that people keep comments on point and within 3 minutes.

Corolla Mait, 124 Stearns Road

- Questions regarding the stair railings at Little Beach, they have not been repaired or replaced, how can get it fixed? It has been eight months.
- Asked what happens when protocol is not followed (i.e. dead seals).

Paul Brennan, Eldredge Road, Wells

- Stated he had offered his insight/assistance on the process with Fire Chief O'Brien issue at no charge. Stated that he had sent e-mail to all Select Board members and the Town Manager; and had also followed up with a phone call. Received response from Selectman Dolliver and Selectman Daley, no response from Chair Waite, Selectman Winn, Selectwoman Mooney and Town Manager Finnigan.

Lesley Mathews, 13 High Ridge Lane

- Asked "what happened to Clynk?" Town used to have Clynk collection boxes for bottles and cans.
- Stated that this was a working group (re: bathhouses), just throwing out ideas.

Gary Latulippe, 48 Blue Heron Place

- Do you consider renovation of the three beach bathhouses your most important town project to date of your appointment?
- Do you feel that you have adequately performed to the best of your ability in regard to giving the taxpayers of Ogunquit the best options and plans in this process so far? Commented on the process of forming the workgroup committee. Asked that he be considered as a member of the workgroup.
- In your last position as Town Manager for the Town of Camden your stewardship of a large project resulted in a significant fine from the Maine Department of Environmental Protection to the Town of Camden. Please tell

the citizens of Ogunquit how you will be able to manage this important project and not expose our town to fines and continued disappointment in your performance.

Timothy Pasterczyk, 33 Main Street

- Thanked the Select Board and the Town Manager for all their work.
- Thanked the Police Department and the Fire Department for keeping this town safe; also, Public Works, Transfer Station and the Post Office.
- Read a letter from wife Michelle Tourangeau regarding the recall petitions.

Steve Wilkos, Planning Board Chair

- Asked why the appointment of Brian Aromando as 2nd Alternate to the Planning Board was tabled.

9.0 OTHER BUSINESS

9.1 Select Board Reports and Announcements

Selectwoman Mooney

- Stated that she was here all day yesterday at elections, it is great that we have such a well-informed town.

Selectman Dolliver

- Great turnout for election day.
- Remind all of things heard today, process...
- Comments regarding Planning Board appointment.

Vice Chair Daley

- Congratulated Bob Winn and his team for winning the Division 2 Western Maine Conference Championship for the Wells High School Cross Country Team.
- Reviewed an article that was written about Ogunquit in the September "Lavender" magazine.
- Recently during the appeal of the Fire Chief, it came up that some SOP's are lacking. Need to act on these issues. Would like to have Interim Fire Chief Ed Smith at the next meeting to review the dilemma.

A short break was taken prior to the workshop.

Training Workshop with Town Attorney Mary Costigan

(Note: A portion of this workshop may be in Executive Session pursuant to 1 MRSA §504.405.6.E)

Motion made by Richard Dolliver and second by Madeline Mooney to go into Executive Session at 9:07pm pursuant to 1 MRSA 405.6.E; approved 4-0.

No action was taken during Executive Session.

10.0 ADJOURNMENT

Motion made and seconded to adjourn the meeting.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager