



**SELECT BOARD
MEETING MINUTES
DECEMBER 4, 2018**

5:30PM - WORKSHOP

A. Interview Planning Board Applicants

The Select Board interviewed Brian Aromando and Elaine Cooper for the 2nd Alternate position on the Planning Board.

1.0 CALL TO ORDER: 6:00PM

1.1 Roll Call of Members

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

Members absent: Charles L. Waite, III, Chair

Motion made by Robert Winn, Jr. and second by Madeline Mooney to excuse the absence of Charles Waite, III from the Select Board meeting; approved 4-0.

Others present: Patricia A. Finnigan, Town Manager

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited by most in attendance.

1.3 Select Board Minutes - October 16, 2018

Motion made by Richard Dolliver and second by Madeline Mooney to approve the minutes of the October 16, 2018 Select Board meeting as presented; approved 4-0.

2.0 LIQUOR & AMUSEMENT PUBLIC HEARINGS

2.1 Bintliff's Restaurant - *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 for Bintliff's Restaurant was in attendance.

120418-01 Motion made by Richard Dolliver and second by Robert Winn, Jr. to approve the Malt, Spirituous & Vinous Liquor License Application for Bintliff's Restaurant; approved 4-0, Waite absent.

2.2 Bintliff's Restaurant - *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.

120418-02 Motion made by Richard Dolliver and second by Robert Winn, Jr. to approve the Amusement License Application for Bintliff's Restaurant; approved 4-0, Waite absent.

2.3 Jonathan's Restaurant - *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 Jonathan's Restaurant.

120418-03 Motion made by and second by to approve the Malt, Spirituous & Vinous Liquor License Application for Jonathan's Restaurant; approved

3.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS

3.1 Ogunquit Beach Lobster Dash Donation - *Charlie Farrington*

Presentation of a Donation from the 2018 Lobster Dash

Charlie Farrington was in attendance to present a donation to the Town for the Ogunquit Beach Lobster Dash, this is the 18th year of the event. Mr. Farrington thanked the town for their support for all these years.

A check in the amount of \$1,000 was donated to the Ogunquit Playhouse Foundation for Children's Theater scholarships; a \$1,000 check was donated to the Gumbinner Memorial Scholarship and \$1,000 to Ogunquit Parks & Recreation.

3.2 Ogunquit Fire & Rescue - Firefighter/Paramedic Nathanael Pierce and Chief Smith
Request to raise funds for a Community Mural on the wall of the new office space

Interim Fire Chief Ed Smith, along with Firefighter/Paramedic Nathanael Pierce to present the fundraiser idea to the Select Board. Once the new offices were built in the fire station, it created a big blank wall. Local artist John Stand created a mural that they would like to have painted on the wall and a picture of a map on the smaller wall. To be able to do this, they would like to sell prints of the mural and the map to the public to raise money for the paints. They will be selling the prints at the Christmas by the Sea Craft Fair. They have also contacted the art teacher at the school in Wells to get children involved in this project.

Mr. Pierce stated that they wanted to get permission from the Select Board prior to starting a fundraiser and project like this.

3.3 Harbormaster Report - Fred Mayo, III
Harbor Update and Discussion of new Harbormaster Boat

Mr. Mayo was in attendance provide an update on the status of the Perkins Cove Harbor. He stated that he is in the process of filling out paperwork for the Army Corp of Engineers; they have come and inspected the cove. In the storm of last March, the cove and the channel has filled in significantly. The Army Corp. of Engineers will dredge it at their cost when they feel like it. There is no money in Congress, so it will take a couple of years for this to be accomplished.

Mr. Mayo stated that he had applied for a \$250,000 grant for the bridge in Perkins Cove. The next availability for this money is 2021, which gives the Town plenty of time to get all the ducks in a row.

He stated that he has already broken ice in the cove twice, which is earlier than normal

The boat that he is interested in is to replace the little boat that he built 8 years ago. The Annual Town meeting voted to allow up to \$50,000 for the purchase of a new boat. He stated that he found a boat builder in North Carolina that builds "C-Hawk" boats. Mr. Mayo is interested in a 20' commercial grade boat with a 150hp Mercury outboard. The 2019 boat with all necessary items is \$42,000.

Motion made by Richard Dolliver and second by Robert Winn, Jr. to take 7.1 out of order; approved 4-0, Waite absent.

7.1 Authorization to Purchase a Harbormaster Boat

120418-04 Motion made by Richard Dolliver and second by Madeline Mooney to approve the purchase of the 20' C-Hawk with a cap price of \$42,000 with other essentials to be purchased with remaining balance; approved 4-0, Waite absent.

Eleanor Masi, Agamenticus Road

- Wanted to know how the boat will get here?

3.4 Marginal Way Committee - Joan Griswold, Chair

Progress Report on Marginal Way Repairs and Future Improvements

Joan Griswold, Chair of the Marginal Way Committee, was in attendance to give a progress report on the Marginal Way.

Summary of Storm Repairs (March 3-5, 2018)

37 separate projects of damage on the Marginal Way, working with FEMA on these projects. Prioritized and categorized the sites. Permitting done through MDEP.

Not direct Marginal Way Committee responsibilities:

- Beach Stair Railings
- Damage under the path at Stearns Road
- Damage to Stearns Road and storm drainage.
- Revetment at Stearns Road.
- Pack and fill in the holes in the rip rap.

Completed 2018

- Reinforce the whole length of the path where material had been sucked out from under the pavement making it undercut and unstable.
- Rose Wall North - rebuilt wall.
- North of the footbridge - rebuilt wall.
- Bench 29 - built the wall to stabilize the undercut under the bench.
- South of the Rose Wall - rebuilt and linked to the old curvy wall and repair the undercut of the path.

Permitted and ready to start 2019

- South of the Cedar Grove - install wall.
- Cut pipe area - drop off.

Need erosion expertise

- Future projects involve challenging site, no simple solutions.
- Bench 12 site.
- Bench 22 site.
- Bench 25 site.
- Bench 23 & 24.
- Winterberry site lost 6-8' of soil and rock.
- The ravine at the footbridge.
- Devil's Kitchen embankment.
- Cedar Grove.
- Last access path before getting to Perkins Cove.
- Little Beach.
- Locust Grove access path.

Finances - Revenues

• Town	\$75,000
• Marginal Way Preservation Fund	51,000
• Marginal Way Committee	20,200
• Bench Fund	10,000
• <u>Leavitt Theatre/Parks & Rec</u>	<u>1,424</u>
	\$157,624

Finances - Expenses

- Permits, drone survey, materials, equipment & labor

-\$107,498

<u>Balance to date</u>	<u>\$50,127</u>
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A reserve account that was voted on in June is another \$100,000 for use by the Marginal Way Committee but have to use up the \$50,127 prior to utilizing that reserve account.

The Marginal Way Committee requests that the Select Board approve the engagement of Walsh Engineering Associates as an on-call consultant for the Marginal Way projects that have not been completed.

Carol Murray, Interim Public Works Director, reviewed why the Marginal Way Committee was requesting that the Select Board approve Walsh Engineering for the Marginal Way.

Mr. Ouellette

- Question about the railings that they are looking at.

Motion made by Richard Dolliver and second by Robert Winn, Jr. to take 7.2 out of order; approved 4-0.

7.2 Authorize the Town Manager to enter into an Agreement with Walsh Engineering Associates for Civil Engineering Work on the Marginal Way

120418-05 Motion made by Madeline Mooney and second by Richard Dolliver to authorize the Town Manager to enter into an Agreement with Walsh Engineering Associates for Civil Engineering work on the Marginal Way; approved 4-0, Waite absent.

4.0 TOWN MANAGER'S REPORT

Town Manager Finnigan stated that we are in the count down phase for Christmas by the Sea, which will kick off this Friday evening. In addition, the tree lighting in Perkins Cove, there will be, in light of his passing, a wreath lighting to recognize President Bush's service to our country.

This week we will be saying good bye to one of our long-time employees, Diane Moore, who ran the beach pass program. We will be starting a search process soon for her replacement as the season will soon be upon us.

The Select Board will need to do the season debrief to review the season and any changes that need to be done.

Ms. Finnigan stated that she met with her Bathhouse Workgroup this week. They are helping her development the process for community participation. There will be a public meeting in January to make sure get all the public input necessary to reflect the needs of the community. Reiterated one of the issues that she states that she needs to correct; before they start building anything there will be a formal bid process.

Ms. Finnigan stated that there are a lot of projects that need to be done in the town.

Carol Murray stated that River Road will be eligible for FEMA reimbursement. She gave an overview of the problems at the site and the remedies for repair.

Ms. Murray also gave an overview of the status of the Agamenticus Road project. Agamenticus Road has huge drainage issues and needs to be engineered from sub-grade up.

Captain Thomas will be getting a tack coat & skim coat in the spring.

Ms. Murray stated that she is very proactive on safety training and has gotten the Public Works Department through safety courses. She also stated that the department is ready for the winter months.

Town Manager Finnigan stated that we are heading into budget time; the engineering firms that the town has contracted will be better able to give project costs that has happened in the past.

Maine Municipal Association, which the town is a member of, their Legislative Policy Committee met last week and voted to support a local option sales tax.

5.0 APPOINTMENTS & RESIGNATIONS

5.1 Appointment- Planning Board 2nd Alternate

120418-06 Motion made by Richard Dolliver and second by Robert Winn, Jr. to appoint Brian Aromando as 2nd Alternate to the Planning Board, term to expire June 30, 2019; approved 4-0, Waite absent.

6.0 UNFINISHED BUSINESS

There was no Unfinished Business for Select Board action.

7.0 NEW BUSINESS

7.3 Authorize the Use of Main Beach for the New England Intercollegiate Surf Competition April 2019

Fred Lynk, Fieldstone Lane

- Suggested that we have some written back up to better understand the request.

Jose Perez

- Comments on the event, horrible idea.

120418-07 Motion made by Richard Dolliver and second by Robert Winn, Jr. to deny the authorization of the use of Main Beach for the New England Intercollegiate Surf Competition in April 2019;

Motion as amended to read:

120418-07 Motion made by Richard Dolliver and second by Robert Winn, Jr. to contact the New England Intercollegiate Surf Competition founders, mainly Peter Roy, and tell them that we are not interested in Ogunquit; approved 4-0, Waite absent.

7.4 2019 Select Board Meeting Calendar

The Select Board held a discussion on the meetings in January since the first meeting would be on January 1st.

The tentative meeting dates for January will be on the 8th and the 22nd.

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.

Jimmy Lucibello, 299 Captain Thomas Road

- Present on behalf of the Ogunquit Spirit Committee, thanked the community for their involvement in the event. They provided gifts for over 600 children.
- Spoke on behalf of the Chamber of Commerce and Christmas by the Sea.

Sarah Potter, Executive Director of the Chamber of Commerce

- Reminded all that this is their Annual Christmas by the Sea weekend.

Wes Elliott, Cedar Lane

- Stated that Carol is doing a great job.
- Has an issue with having a part time Public Works Director.
- Has an issue with the sharing of equipment with Wells.

Barbara Ferraro, Ocean Heights

- Comments on a quote on a Facebook page by John Mixon.

Amy Forbes, 47 Riverside Lane

- Comments on behavior at the Ogunquit Post Office by Selectwoman Madeline Mooney.

Joan Sulis-Kramer, 77 Israel Head Road

- Read letter about the firing of town employee, RFP process, Little Beach stairways, dead seal carcasses, disrespect and the recall of three Select Board members.

Mary Buck, Pine Hill Road

- Comments regarding the firing of the Fire Chief.

Wendy Levine, Obeds Lane

- Read a letter from Patience Sundaresan regarding discussion of legal cases about personnel.

Kelly O'Brien, Ally Lane, Wells

- Wife of Mark O'Brien, corrected statements about Mark's service time to the Town.

Lesley Mathews, High Ridge Lane

- Need to look at the character of the people in charge of the recall.

Boriana Dolliver, 331 Shore Road

- Question about OVS, status of the building, what is going on with this?

Lauren Fogarty, 24 School Street

- Comments about the school and Town Manager response.
- Comments about the recall petitioner's character.
- Comments about the incident at the Post Office.

John Paul Argenti, Head Lifeguard & Riverbank Road

- Commented on the Portland Press Herald article.
- Lost long-time resident, Milt Vargelis, this week.
- Comments regarding parking rates at the Main Beach during the shoulder season.
- Will be holding Polar Plunge this weekend during Christmas by the Sea.

9.0 OTHER BUSINESS**9.1 Select Board Reports and Announcements****Selectman Winn**

- Stated that another Ogunquit resident passed away this past week, Jack Connerty, condolences to Jackie and her family.
- Comments regarding JP Argenti.

Selectwoman Mooney

- Comments regarding the passing of Jack Connerty, Milt Vargelis and Rose Truro.
- Comments regarding statements against JP Argenti.

Selectman Dolliver

- Thank you to John Stand for decorating the Perkins Cove Island.
- Don't have a gas station in town. Maybe we should have a workshop with the Planning Board to ease the restrictions.
- Comments regarding the legality of items.

Vice Chair Daley

- Comments regarding Channel 3, now Channel 1302.
- Received new from Town Manager that progress is being made on Fire Department SOP.
- Looks like a meeting between the Planning Board Chair & Vice Chair, Select Board Chair & Vice Chair, Town Manager and Legal Counsel will be happening soon, don't have a date yet.
- Do we have to talk about the Comp Plan, what is the next step?

10.0 ADJOURNMENT

Motion made by Richard Dolliver and second by Robert Winn, Jr. to adjourn the meeting at 9:07pm; approved 4-0, Waite absent.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager