



**SELECT BOARD
MEETING MINUTES
APRIL 2, 2019**

1.0 CALL TO ORDER

Meeting called to order at 6:00pm.

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

Others present: Patricia A. Finnigan, Town Manager

2.0 MEETING MINUTES

2.1 Select Board Minutes - February 4, 2019

Motion made by Robert Winn, Jr. and second by John Daley to table the minutes of the February 4, 2019 Select Board meeting until the next meeting of the Select Board.

2.2 Select Board Minutes - March 5, 2019

Motion made by John Daley and second by Madeline Mooney to approve the minutes of the March 5, 2019 Select Board meeting as amended; approved 4-1, Dolliver in opposition.

3.0 PUBLIC HEARINGS

Public Hearing called to order at 6:17pm

Public Hearing closed at 6:18pm.

A. Liquor and Amusement Licenses

3.1 Caffe' Prego - Malt, Spirituous & Vinous Liquor License Renewal

This application recommended for approval by the Police Chief Fire Chief and Code Enforcement Officer.

Greg Titman was in attendance to represent Caffe' Prego.

040219-01 Motion made by Robert Winn, Jr. and second by Madeline Mooney to approve the Malt, Spirituous & Vinous Liquor License Renewal for Caffe' Prego; approved 5-0.

3.2 Caffe' Prego - Amusement License Renewal

This application recommended for approval by the Police Chief Fire Chief and Code Enforcement Officer.

040219-02 Motion made by Robert Winn, Jr. and second by John Daley to approve the Amusement License Renewal for Caffe' Prego; approved 5-0.

3.3 Ogunquit Playhouse - Malt, Spirituous & Vinous Liquor License Renewal

This application recommended for approval by the Police Chief Fire Chief and Code Enforcement Officer.

Kent Bridges was in attendance to represent the Ogunquit Playhouse.

040219-01 Motion made by Robert Winn, Jr. and second by Madeline Mooney to approve the Malt, Spirituous & Vinous Liquor License Renewal for Ogunquit Playhouse; approved 5-0.

3.4 Ogunquit Playhouse - Amusement License Renewal

This application recommended for approval by the Police Chief Fire Chief and Code Enforcement Officer.

040219-02 Motion made by Robert Winn, Jr. and second by John Daley to approve the Amusement License Renewal for Ogunquit Playhouse; approved 5-0.

B. Proposed Ordinance Amendment

3.5 Ogunquit Playhouse Foundation/Proposed Amendment to the Ogunquit Zoning Ordinance to Create a "Route One Southern Corridor General Development District III"

At the March 19th meeting of the Select Board the Planning Board and the Ogunquit Playhouse Foundation presented a proposed amendment that would make several changes, including making the Ogunquit Playhouse an allowed use in that location. At the last meeting, Brad Kenney, Executive Artistic Director, did a wonderful, thorough presentation about the Playhouse and the improvements that are needed for the Playhouse to address a number of basic issues, from ADA accessibility and sufficient bathrooms to increasing the allowed building height so that they can improve the "fly tower space". We're pleased to learn at the last meeting from the Playhouse Foundation that they decided not to change the Resource Protection Zone from the way it currently exists on the property.

Public Hearing opened at 6:20pm.

Brad Kenney and John Bannon were present to represent the Ogunquit Playhouse Foundation.

Mr. Kenney gave an overview with the aid of a slide show. He also reviewed the "mission statement" of the Ogunquit Playhouse. The Ogunquit Playhouse is on the National Historic Register, this legacy must be preserved.

The Ogunquit Playhouse - Aspirations for the Future

- *In order to make our aspirations a reality, specific goals have been identified - among them are:*
 - *Enhance the physical facilities and infrastructure to support the best possible experiences for audiences, actors, crews and staff while preserving the Playhouse as a historic landmark.*
 - *Provide a distinctive, high-quality theatre experience that attracts exceptional artistic talent and patrons of all ages and diverse backgrounds from across the region and beyond.*
 - *Offer exceptional and accessible educational programs that engage young people and broaden their perspectives.*
- *Existing zoning regulations prevent the ability to expand and renovate the Ogunquit Playhouse.*
- *"Shoreland General Development 3 - Ogunquit Playhouse - SG3 District"*
- *This is needed to allow the Ogunquit Playhouse to reach its goals and accomplish need based improvements to ensure its long-term viability.*
- *Fly Loft, Setbacks and Lot Coverage.*
- *The goal is to restore all parking areas with grass pervious materials if feasible, while maintaining safety and within zoning guidelines. Do not want to increase paved areas on the Playhouse property - we want to decrease them.*

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4.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS
- None

5.0 APPOINTMENTS & RESIGNATIONS - None

6.0 UNFINISHED BUSINESS - None

7.0 NEW BUSINESS

7.1 Authorize the Fire Department to Purchase the Jaws of Life and Accept Donations from the Ogunquit Fire Company and Steve Weiner

The Fire Department is called upon to respond to many types of emergencies. The Jaws of Life is an essential piece of rescue equipment especially for freeing people trapped in wrecked vehicles. Interim Fire Chief Ed Smith and Captain Shannon Bridges is present to show how this equipment is used and request the Select Board to approve two donations which will allow the Fire Department to purchase the Jaws of Life Equipment. The current year's Capital Improvements budget contained \$13,000 for the new set of Jaws of Life. The cost of the Jaws of Life is \$22,345. In order to make up the gap, a local resident and the Ogunquit Fire Company have made donations to the Fire Department to purchase this equipment.

Interim Chief Smith and Captain David Moore were in attendance (Captain Bridges was not able to attend) to give a presentation.

Received a donation from Steve Weiner of \$5,000 in memory of his son; and donation of \$4,345 from the Fire Company.

040219-03 Motion made by John Daley and second by Richard Dolliver to accept the donation from Steve and Katie Weiner in the amount of \$5000 and \$4,345 from the Ogunquit Fire Company and to approve the purchase of the Amkus Jaws of Life equipment in the amount of \$22,345; approved 4-0, Dolliver abstained.

7.2 Naming the Street located off Beach Street - (as shown on the attached map)

There is a street located off from Beach Street between the Neptune and the Norseman that other people have referred to as "Norseman Lane". It gives people the wrong impression that this is a private road that belongs to the Norseman. In fact, it is a Town Public Way. In order for it to be listed as a Town Street so that public safety vehicles can response to any emergencies or calls for service it needs to be named. Because it is off Beach Street and there are no addresses on it, one

suggestion is to name it "Beach Street Extension". Other names have also been suggested. As the summer season approaches it would be good to resolve this and have proper a street sign installed.

Legal research has been done, it is a town way. It is an official town street without an official town name.

Comments and questions from:

- Lesley Mathews - suggested "Miltie's Lane".
- Lauren Fogarty, 24 School Street - suggested "Norseman Lane".

040219-04 Motion made by Richard Dolliver and second by Madeline Mooney to table this agenda item, no vote on this motion.

040219-05 Motion made by Richard Dolliver and second by Robert Winn, Jr. to table this until the next meeting and that anybody that has any ideas send the e-mails and maybe they will get forwarded to everybody and then can come up with an answer at the next meeting; approved 5-0.

8.0 TOWN MANAGER'S REPORT

- Informed the public that there is a general e-mail address on the website for the Select Board so if have suggestions on the road name, please use that.
- Carol Murray was present to give an update on what has been going on in the Public Works Department (River Road, Marginal Way, Captain Thomas Road and Agamenticus Road).
- Stated that this is budget season and need to make sure to focus on infrastructure and changes in areas of emphasis for Public Works, Facilities & Parks and Fire Department.
- Piping Plovers have arrived on the beach, which has been staked and twined.
- Busy spring and summer ahead of us.
- Scott Heyland asked to Select Board to schedule a public hearing, and make a motion to that affect.

040219-06 Motion made by Robert Winn, Jr. and second by Richard Dolliver to set the date for a public hearing on April 16, 2019; approved 5-0.

9.0 Citizen Comments "*Citizen's Comments are Opinions*" (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.

Comments and questions from:

- **Mary Buck**, Pine Hill Road North - regarding roles as surrogates and comments about Pine Hill Road change to intersection.
- **Barbara Ferraro** - comments regarding motions made and votes taken by the Select Board; and Executive Sessions.
- **Richard Dolliver**, resident, 331 Shore Road - regarding RAM Built and dune ramps; also Eaton Peabody bill.
- **Elaine Cooper**, Spring Street - regarding Beach Bathhouse Bids.
- **Wendy Levine**, Obeds Lane - regarding the last meeting and scheduling of the recall election.
- **Lauren Fogarty**, 24 School Street - regarding public comment per Charter and surrogates.
- **Rusty Hayes**, Cedar Lane - regarding e-mail between Town Clerk Chris Murphy and Mary Buck; and surrogates for Select Board.
- **Mark Macleod** - regarding goal and recall.
- **Lesley Mathews** - regarding extra expenditures for the recall election; and Town Manager.
- **Heath Ouellette**, Meadow Lane - regarding recall, expenditures and suit against the town.
- **Pat Hussey**, Ocean Heights - regarding the dignity that the three Select Board members and Town Manager have shown.
- **Bob Dateo**, River Bank Road - regarding the last meeting and a letter he wrote to the newspaper.

10.0 OTHER BUSINESS

10.1 Select Board Reports and Announcements

Selectman Dolliver

- Requested the town provide hearing assistance devices for the public at the meetings for people who have trouble hearing.
- Commented on number of times he has requested FOAA from the Select Board and Town Manager.
- Commented on conflict of interests - re: Select Board.
- Comments regarding Executive Sessions.
- Comments regarding FOAA requests sent to Town Manager.

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Selectman Daley

- Comments regarding recall election on May 9th.
- Comments regarding the standards for Select Board members.
- Comments regarding the conduct of the Select Board and dissemination of information.
- Comments regarding union contracts on effect on budget.
- Comments regarding North Beach and Footbridge Bathhouses.
- Comments regarding the forming of an advisory group.

Selectman Winn

- No Comments

Selectwoman Mooney

- Comments about bullying online.
- Comments regarding the lawsuit.
- Comments regarding bids and process.
- Comments regarding conflict of interests.

Chair Waite

- Comments regarding sludge that was spread on a local farm. Asked for full disclosure where the Ogunquit Sewer spread sludge in Ogunquit and on what dates.

Town Manager Finnigan stated that it would be helpful to schedule a workshop to review the Purchasing Policy.

11.0 ADJOURNMENT

Motion made by Robert Winn, Jr. and second by Richard Dolliver to adjourn the meeting at 10:15pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager