



**SELECT BOARD
MEETING MINUTES
AUGUST 6, 2019**

5:30 p.m. Workshop

- Committee Applicant Interviews -

The Select Board met to interview Paul Jean and Elaine Cooper regarding their applications.

1.0 Call to Order

1.1. Roll Call - Meeting called to order at 6:05pm.

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

Others present: Patricia A. Finnigan, Town Manager

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited by some in attendance.

Opening statements were made by the members of the Select Board and the Town Manager.

2.0 Meeting Minutes

2.1 July 23, 2019 - Motion made by Robert Winn, Jr. and second by Madeline Mooney to approve the minutes of the July 23, 2019 Select Board meeting as written; approved 5-0.

- 2.2 July 24, 2019 - Motion made by Lindsey Perry and second by Robert Winn, Jr. to approve the minutes of the July 24, 2019 Select Board Workshop meeting as written; 5-0.
- 2.3 July 30, 2019 - Motion made by Madeline Mooney and second by Robert Winn, Jr. to approve the minutes of the July 30, 2019 Select Board Workshop meeting as written; approved 5-0.
- 3.0 Public Hearings - Liquor & Amusement - None
- 4.0 Presentations, Proclamations, Resolutions & Communications - None
- 5.0 Appointments & Resignations

The Select Board will be doing part of the appointments for Committees and Board. The Committees are listed in alphabetical order; the Select Board will be considering only the Committees that have received applications for seats which are expiring or seats which are vacant. Most Committees and Boards have full members and alternates. The purpose of the alternates is to have people attend the Committee meetings, participate in the discussion, learn about the issues and the work of the Committee. If a member has to be absent, an alternate fills in to make up a quorum for the vote. There are 1st alternates and 2nd alternates on Committees; the 1st alternate is the person that is called on to vote when a full member is absent. And in the absence of the 1st alternate, the 2nd alternate would step in to vote. It has been the practice in the past to elevate a 1st alternate to a full member when there is a vacancy. That way the experience that the alternate has gained allows for a smooth transition. Committee members are appointed by the Select Board who is responsible for ensuring that they meet the requirements of Town Policies and State Laws. The Select Board works to have well-rounded committees and appoints members who bring different skills and experiences. Committee appointments are made on Select Board's assessment of which applicants will do the best job for the Town and the Committee. The Select Board does not take public comment on the appointments. There are many openings on Committees and Boards, and will also be making appointments at the August 20th meeting, the Select Board encourages people to fill out an application.

5.1 Bicycle-Pedestrian Committee

080619-01 Motion made by Madeline Mooney and second by Robert Winn, Jr. to appoint Greg Testa as the 1st Alternate on the Bicycle-Pedestrian Committee, term to expire June 30, 2020; approved 5-0.

080619-02 Motion made by John Daley and second by Lindsey Perry to appoint Paul Jean as the 2nd Alternate on the Bicycle-Pedestrian Committee, term to expire June 30, 2020; approved 5-0.

5.2 Board of Assessment Review

No action taken on this agenda item, action to be taken on August 20th.

5.3 Ogunquit Heritage Museum Committee

080619-03 Motion made by Robert Winn, Jr. and second by Madeline Mooney to appoint Lynwood "Sonny" Perkins as Full Member of the Ogunquit Heritage Museum, term to expire June 30, 2022; approved 5-0.

5.4 Historic Preservation Commission

080619-04 Motion made by Madeline Mooney and second by Robert Winn, Jr. to appoint Helen Horn as a Full Member of the Historic Preservation Commission, term to expire June 30, 2022; approved 5-0.

080619-05 Motion made by John Daley and second by Robert Winn, Jr. to appoint Kerry Ellen Enright as the 1st Alternate to the Historic Preservation Commission, term to expire June 30, 2020; approved 5-0.

080619-06 Motion made by Madeline Mooney and second by Lindsey Perry to appoint Elaine Cooper as the 2nd Alternate to the Historic Preservation Commission, term to expire June 30, 2020.

Motion made Madeline Mooney and second by Robert Winn, Jr. to rescind the original motion and to table this until the August 20th Select Board meeting; approved 5-0.

5.5 Performing Arts Committee

080619-07 Motion made by John Daley and second by Robert Winn, Jr. to appoint Janel Lundgren as a Full Member to the Performing Arts Committee, term to expire June 30, 2022; approved 5-0.

080619-08 Motion made by Robert Winn, Jr. and second by Lindsey Perry to appoint Lesley Mathews as a Full Member to the Performing Arts Committee, term to expire June 30, 2022; approved 5-0.

080619-09 Motion made by Charles Waite, III and second by Robert Winn, Jr. to appoint Charlotte Streeter as the 2nd Alternate to the Performing Arts Committee, term to expire June 30, 2020; approved 5-0.

5.6 Planning Board

080619-10 Motion made by John Daley to appoint Albert "Rusty" Hayes as a Full Member to the Planning Board, term to expire June 30, 2022.

There was no second to the motion, motion fails.

080619-11 Motion made by Charles Waite, III and second by Lindsey Perry to appoint Priscilla Botsford as a Full Member to the Planning Board, term to expire June 30, 2022; approved 5-0.

080619-12 Motion made by Charles Waite, III and second by Robert Winn, Jr. to appoint Brian Aromando as the 1st Alternate to the Planning Board, term to expire June 30, 2020; approved 5-0.

080619-13 Motion made by Madeline Mooney and second by Robert Winn, Jr. to appoint Elaine Cooper as the 2nd Alternate to the Planning Board, term to expire June 30, 2020; approved 5-0.

5.7 Zoning Board of Appeals

080619-14 Motion made by Robert Winn, Jr. and second by Lindsey Perry to appoint Peter Griswold as a Full Member to the Zoning Board of Appeals, term to expire June 30, 2022; approved 5-0

080619-15 Motion made by Robert Winn, Jr. and second by Lindsey Perry to appoint J. Douglas Mayer as a Full Member to the Zoning Board of Appeals, term to expire June 30, 2022; approved 5-0.

080619-16 Motion made by John Daley and second by Lindsey Perry to appoint Carole Aaron as the 1st Alternate to the Zoning Board of Appeals, term to expire June 30, 2020; approved 5-0.

080619-17 Motion made by Madeline Mooney and second by Lindsey Perry to appoint Glen Deletetsky as the 2nd Alternate to the Zoning Board of Appeals, term to expire June 30, 2020; approved 5-0.

6.0 Unfinished Business - None

7.0 Town Manager's Report

The Ogunquit Sewer District Run-off Election will take place next Tuesday, August 13th here at Town Hall.

The Budget Review Committee will have to fill the vacancy that occurred when Lindsey Perry was elected to the Select Board. The Charter is very specific in outlining the process, if there is a vacancy the 1st Alternate automatically moves up to the vacant position. Elaine Cooper, who is currently the 1st Alternate, will become the Full Member; and Peter Kahn who is 2nd Alternate will automatically move up to 1st Alternate. The Select Board will have to appoint Mr. Kahn to the position. Anyone wishing to run for the Budget Review Committee will need to have their nomination papers in by September 6th.

It is summer, seven weeks away from fall! Public Works is in preparation mode for the fall-winter season.

There will be one item for sure on the November Special Town Meeting, which will be the Main Beach Bathhouse. The workgroup will begin work again on this project soon.

8.0 New Business

8.1 Public Hearing - Amendment to Ogunquit Town Charter Article VIII, Section 804 Recall of Elected Officials

The Ogunquit Town Charter has provisions to allow elected officials to be recalled. Although people were on different sides during the recent recall effort, can all agree that the recall provisions in the Town's Charter are not clear and that they need to be reworked. There is no requirement to have a recall provision in a Town Charter, but can all agree if there is recall provisions in the Charter then want it to meet the public purpose and be as clear as possible. The proposed amendment that is on the agenda is the exact same wording that is found in the Maine State Law.

This is just to get a dialogue started and get the public's thought on whether voters should be asked to amend the current Charter and if so, hear ideas on what

it should say. A final decision on this does not have to be made at this meeting, but a draft of the proposed amendment will need to be ready by September 3rd and a final vote no later than September 17th. At the workshop last Tuesday with Town Attorney Mary Costigan the Select Board had discussed amending the recall provision in the Charter. Attorney Costigan will draft a proposed amendment if that is the direction that the citizen's and the Select Board want to go.

Public Hearing opened at 6:56pm.

Public comments were made by:

- Newell Perkins, 20 Fieldstone Lane.
- Wendy Levine, Obeds Lane.

Public Hearing closed at 7:05pm.

Comments were made by the members of the Select Board.

080619-18 Motion made by Robert Winn, Jr. and second by Lindsey Perry to have the Town Attorney review any proposed amendments regarding any ideas that the Select Board has had and shared with the Town Manager in addition to working them in with State Statute for an amendment to be on the November ballot; approved 5-0.

8.2 Public Hearing - Regarding whether to Establish a Charter Commission for the Purpose of Revising the Municipal Charter

The Town Charter has not had a thorough review in several years. There were a few revisions made to it in 2017 but the Town Attorney thinks that it would be wise for the Town to consider establishing a Charter Commission to make many of the sections clearer and remove confusing, redundant and archaic language. In order to revise the Charter, the Town Meeting must approve establishing a Charter Commission. If that question is on the November Warrant and passes, the Charter Commission then needs to be formed. That Charter Commission would consist of six (6) members that are elected and three (3) members that are appointed by the Select Board. The Charter is the local equivalent of the US Constitution; it is not something to enter into lightly. To do a thorough job and for full public participation, Charter Commissions usually take 2-3 years to complete. If the voters approve the establishment of a Charter Commission at the November Special Town Meeting, then the members would be elected at the June Annual Town Meeting.

Public Hearing opened at 7:34pm.

Public comments were made by:

- Newell Perkins, 20 Fieldstone Lane.

Public Hearing closed at 7:39pm.

Comments were made by the members of the Select Board.

080619-19 Motion made by Lindsey Perry and second by Robert Winn, Jr. to determine that a revision to the Charter is necessary and Order a Special Town Meeting to vote on the following question - "Shall a Charter Commission be established for the Purpose of Revising the Municipal Charter"; approved 5-0.

8.3 Acceptance of a Donation by SMILE Mass of a Beach Wheel Chair

SMILE is an organization in Massachusetts that was formed to help children and adults who access recreational activities. SMILE stands for Small Miracles In Life Exist; and it was formed by two mothers who each had children with Physical Disabilities. One of the projects that SMILE Mass does is to donate floating wheelchairs to beach communities so that people with disabilities can enjoy being in the ocean and floating on a warm day. They have donated more than 130 of these floating wheelchairs in the past 10 years. Most of them have been in Massachusetts, but most recently they have donated one to Wells and one to Old Orchard Beach. They only offer it to communities that have a lifeguard service. This year they contacted Ogunquit to see if the Town would be interested in accepting this donation. This wheelchair is different from the ones that the Ogunquit Rotary has donated to the Town; those wheelchairs make it possible to go along the beach but not into the water and to transverse the Marginal Way.

Comments were made by the members of the Select Board.

080619-20 Motion made by Robert Winn, Jr. and second by Madeline Mooney to accept the donation of a Floating Beach Wheelchair from SMILE Mass and authorize the Town Manager to sign the agreement; approved 5-0.

9.0 Citizens 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.

Jason Corbin, 115 Perkins Cove Road (also Parks & Recreation Committee)

- Comments regarding Parks & Rec activities.
- Thank you to the townspeople, Town Clerk, Parking Attendants, Public Works and Town Manager.
- Drifters - August 31st.
- Sandcastle Contest - August 25th.
- Working on the 40th Anniversary for Ogunquit festivities. Expressed the need for a committee.

10.0 Other Business**10.1 Select Board Reports and Announcements****Selectwoman Perry**

- Commented on the shootings that occurred in El Paso and Dayton this past week. Asked for a 31 second moment of silence for the 31 lives lost.

Selectwoman Mooney

- Comments regarding Music in the Park.
- Shout out to Sonny Perkins regarding the maintenance of the Riverside Cemetery.

Chair Waite

- Comments regarding the recent events in El Paso and Dayton and the value of life.

11.0 Adjournment

Motion made by Robert Winn, Jr. and second by Lindsey Perry to adjourn the meeting at 8:02pm; approved 5-0.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager