



**SELECT BOARD  
MEETING MINUTES  
SEPTEMBER 17, 2019**

1.0 Call to Order

The meeting was called to order at 6:03PM.

Vice Chair Mooney asked for a moment of silence for Farmington Fire Captain Michael Bell who died in a gas explosion and the six firefighters and a civilian that were injured.

1.1 Roll Call

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

Members absent: Charles L. Waite, III, Chair  
Lindsey M. Perry

Motion made by Robert Winn, Jr. and second by John Daley to reaffirm the excused the absence of Chairman Waite and Selectwoman Lindsey Perry from tonight's meeting; approved 3-0.

Motion made by Robert Winn, Jr. and second by Madeline Mooney to reaffirm the absence of Chair Waite and Selectman Daley from the September 10, 2019 meeting; approved 3-0.

Others present Patricia A. Finnigan, Town Manager

1.2 Pledge of Allegiance

The Pledge of Allegiance was recited by some in attendance.

2.0 Meeting Minutes

2.1 August 20, 2019

- 2.2 September 3, 2019
- 2.3 September 10, 2019

Motion made by Robert Winn, Jr. and second by John Daley to postpone approval of the minutes due to the absence of Chair Waite and Selectwoman Perry as they are featured in the minutes and need to review them; approved 3-0, Perry and Waite absent.

3.0 Public Hearings - Liquor & Amusement

Public Hearing called to order at 6:06pm

There were no comments or questions from the public in attendance.

There were no comments or questions from the Select Board.

Public Hearing closed at 6:06pm.

3.1 *Angelina's Ristorante - Malt, Spirituous & Vinous Liquor License Renewal Application*

The application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

David Giarusso was in attendance to represent Angelina's Ristorante.

**091719-01** Motion made by Robert Winn, Jr. and second by John Daley to approve the Malt, Spirituous & Vinous Liquor License Renewal for Angelina's Ristorante; approved 3-0, Perry and Waite absent.

3.2 *Beachfire - Malt, Spirituous & Vinous Liquor License Renewal Application*

The application was recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

There was no representation from Beachfire in attendance; this application was tabled until the next regular meeting of the Select Board.

4.0 Presentations, Proclamations, Resolutions & Communications

4.1 Parks & Recreation Committee Update - Michelle Low and Jason Corbin

This agenda item was tabled to a future meeting as Michelle Low and Jason Corbin were not available this evening.

#### 4.2 Community Conflict Resolution - Steve Wessler

Town Manager Finnigan introduced Steve Wessler, who will be working with the community to provide conflict resolution to bridge the split, to help the community to work together to heal the divide.

Mr. Wessler gave a brief background on himself, how he determines the process to resolve conflict and his plans on how to be able to reduce conflict in this town.

Mr. Wessler received questions from:

- Selectman Daley
- Joan Sulis-Kramer, 77 Israel Head Road
- Boriana Dolliver, 331 Shore Road
- Ben Hershenson, Myrtle Circle

Mr. Wessler will be in Town on October 1<sup>st</sup> to meet with people.

#### 5.0 Appointments & Resignations

##### 5.1 Committee Appointments

###### A. Bicycle Pedestrian Committee

**091719-02** Motion made by Robert Winn, Jr. and second by John Daley to appoint John Cavaretta to the Bicycle-Pedestrian Committee, term to expire June 30, 2022; approved 3-0, Perry and Waite absent.

###### B. Budget Review Committee

**091719-03** Motion made by Robert Winn, Jr. and second by John Daley to appoint Heath Ouellette as 2<sup>nd</sup> Alternate of the Budget Review Committee, term to expire June 30, 2020; approved 3-0, Perry and Waite absent.

###### C. Historic Preservation Committee

**091719-04** Motion made by Robert Winn, Jr. and second by John Daley to appoint Elaine Cooper as 1<sup>st</sup> Alternate to the Historic Preservation Commission, term to expire June 30, 2020; approved 3-0, Perry and Waite absent.

6.0 Unfinished Business - None

7.0 Town Manager's Report

Town Manager Finnigan reported on the following subjects:

- New employees, Treasurer Mandy Grenier and Public Works Director Thomas Torno.
- Absentee Ballots for the November 5<sup>th</sup> Special Town Meeting - available October 4<sup>th</sup>.
- Performing Arts Committee events.
- The Ogunquit Police Department will be the color guard at the Red Sox game tomorrow night at Fenway.

8.0 New Business

Vice Chair Mooney stated that they would like to add an item to the agenda under New Business "The purchase of EMS Equipment for the Ogunquit Fire & Rescue"

At the June Town meeting the Warrant Article was for \$20,000 to purchase a Lucas Chest Compressor. The equipment with the 4-year extended warranty comes to \$17,968.12.

**091719-05** Motion made by John Daley and second by Robert Winn, Jr. to approve the purchase of the Lucas Chest Compressor for \$17,968.12; approved 3-0, Perry and Waite absent.

**091719-06** Motion made by Robert Winn, Jr. and second by John Daley to switch 8.2 and 8.3 on the agenda; approved 3-0, Perry and Waite absent.

8.1 Municipal Officers Certification of Official Text of Proposed Charter Amendment to be voted on at the November 5, 2019 Special Town Meeting - Article VIII Section 804.1 Recall of Elected Officials

Review of Article 5 which talks about the recall.

*Shall the Municipality approve the "Amendment to the Town Charter, Article VIII, Boards, Committees and Commissions, Section 804, Recall of Elected Officials" as follows: [Note: the proposed amendment is bold and underlined]*

*Any elected official may be recalled and removed from office by the registered voters of the Town as herein provided, if the official has been convicted of a crime, the conduct of which occurred during the official's term of office.*

Comments/questions from:

- Richard Dolliver, 331 Shore Road
- Peter Kahn, 3 Tern Street
- Ben Hershenson, Myrtle Circle
- Joan Sulis-Kramer, 77 Israel Head Road
- Pamela Sawyer, 58 Grasshopper Lane
- Selectman Daley
- Selectman Winn

**091719-07** Motion made by Robert Winn, Jr. and second by John Daley to table this agenda item until the next meeting of the Select Board; approved 3-0, Perry and Waite absent.

8.3 Special Town Meeting Warrant, November 5, 2019 - *Select Board Action on the November 5, 2019 Annual Town Meeting Warrant*

*Article 1: To elect a Moderator to preside at said Meeting. [Note: This question is not intended to be acted upon as part of the official secret ballot at the Special Town Meeting.]*

**091719-08** Motion made by John Daley and second by Robert Winn, Jr. to place Article 1 on the Special Town Meeting Warrant for November 5<sup>th</sup>, 2019; approved 3-0, Perry and Waite absent.

*Article 2: To elect one (1) Select Board Member to fill a vacancy for an unexpired term ending at the conclusion of 2020 Annual Town Meeting.*

**091719-09** Motion made by Robert Winn, Jr. and second by John Daley to place Article 2 on the Special Town Meeting Warrant for November 5<sup>th</sup>, 2019; approved 3-0, Perry and Waite absent.

*Article 3: To elect one (1) Budget Review Committee Member to fill a vacancy for an unexpired term ending at the conclusion of the 2021 Annual Town Meeting.*

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**091719-10** Motion made by Robert Winn, Jr. and second by Madeline Mooney to place Article 3 on the Special Town Meeting Warrant for November 5<sup>th</sup>, 2019; approved 3-0, Perry and Waite absent.

*Article 4: Shall a Charter Commission be established for the purpose of revising the Municipal Charter or establishing a New Municipal Charter?*

**091719-11** Motion made by John Daley and second by Robert Winn, Jr. to place Article 4 on the Special Town Meeting Warrant for November 5<sup>th</sup>, 2019; approved 3-0, Perry and Waite absent.

*Article 5: Shall the Municipality approve the Amendment to the Town Charter, Article VIII, Boards, Committees and Commissions, Section 804, Recall of Elected Officials" as follows: [Note: the proposed amendment is bold and underlined]*

*Any elected official may be recalled and removed from office by the registered voters of the Town as herein provided, **if the official has been convicted of a crime, the conduct of which occurred during the official's term of office.***

*Article 6: Shall the Town approve the Transfer of \$75,909.64 from the Unassigned Fund Balance to the 2019 General Government budget to fund the over expenditure in that budget due to Legal Services costs?*

Town Manager Finnigan reviewed the details on this budget transfer request.

Comments/questions from:

- Selectman Daley
- Pamela Sawyer, 58 Grasshopper Lane
- Elaine Cooper, Spring Street

**091719-12** Motion made by John Daley and second by Robert Winn, Jr. to table Article 6 until the next meeting of the Select Board; approved 3-0, Perry and Waite absent.

*Article 7: Shall the Town appropriate a sum not to exceed \$10,919 from the Unassigned Fund Balance to the Marginal Way Committee budget for the Erosion Control and Restoration Projects?*

Comments/questions from:

- Selectman Daley
- Heath Ouellette, Meadow Lane
- Richard Dolliver, 331 Shore Road

**091719-13** Motion made by John Daley and second by Robert Winn, Jr. to place Article 7 on the Special Town Meeting Warrant for November 5<sup>th</sup>, 2019; approved 3-0, Perry and Waite absent.

*Article 8: Shall the Town (1) vote to approve the Reconstruction and Expansion of the Main Beach Bathhouse and Lifeguard Station (the "Project"); (2) appropriate a sum not to exceed \$700,000 to provide for the costs of the Project; and (3) to fund said appropriation, authorize the Treasurer and Chairperson of the Select Board to issue general obligation securities of the Town of Ogunquit, Maine (including temporary notes in anticipation of the sale thereof) in an aggregate principal amount not to exceed \$700,000; and (4) delegate to the Treasurer and the Chairperson of the Select Board the authority to fix the date(s), maturity(ies), interest rate(s), call(s) for redemption, refunding of said securities, place(s) of payment, form, and other details of said securities, including execution and delivery of said securities on behalf of the Town of Ogunquit, and to provide for the sale thereof?*

Town Manager Finnigan did a recap of the completed projects and reported on the finances and plans for this project.

Comments/questions from:

- Phil Cavaretta, 74 Main Street
- Lauren Fogarty, 24 School Street
- Richard Dolliver, 331 Shore Road
- Robin Millward, 509 Shore Road
- Marjorie Katz, Lilywood Lane
- Lesley Mathews, 13 High Ridge Lane
- Fred Lynk, Fieldstone Lane

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- Ivaylo Petrov, 108 Agamenticus Road
- Heath Ouellette, Meadow Lane

Town Manager Finnigan addressed questions and concerns that were voiced from the public.

Comments/questions from:

- Vice Chair Mooney
- Selectman Winn
- Selectman Daley

**091719-14** Motion made by Robert Winn, Jr. and second by John Daley to table Article 8 until the next meeting of the Select Board; approved 3-0, Perry and Waite absent.

8.2 Order to the Town Clerk for Placement of Secret Ballot Referendum Questions on the Ballot for the November 5, 2019 Special Town Meeting - *Select Board Action on the Order for the November 5, 2019 Annual Town Meeting*

This will be acted upon at next meeting of the Select Board.

**091719-16** Motion made by and second by to schedule a Special Select Board meeting on Tuesday, September 24<sup>th</sup>; approved 3-0, Perry and Waite absent.

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.*

Comments/questions from:

- Peter Kahn, 3 Tern Street - re: Candidates Night.
- JP Argenti - re: Main Beach Bathhouse.
- Nancy DiCarlo, 45 Main Street - re: Crossing Light Signal.
- Ivaylo Petrov, 108 Agamenticus Road - re: Project Costs.
- Rick Dolliver, 331 Shore Road - re: Bathhouse Project and Candidates Night.
- Lauren Fogarty, 24 School Street - re: Candidates Night and Main Beach Bathhouse Project.
- Lesley Mathews, 13 High Ridge Lane - re: ORA & Candidates Night.
- Heath Ouellette, Meadow Lane - re: Bathhouse Projects.

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- Ben Hershenson, Myrtle Circle - re: Recommendation for sponsor of Candidates Night and ORA.

10.0 Other Business

10.1 Select Board Reports and Announcements

**Selectman Daley**

- Comments about bathrooms and support of them by the public.

**Vice Chair Mooney**

- Comments regarding ORA and Candidates Night.

11.0 Adjournment

Motion made by John Daley and second by Robert Winn, Jr. to adjourn the meeting at 9:10pm; approved 3-0, Perry and Waite absent.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager