



**SELECT BOARD  
SPECIAL MEETING MINUTES  
SEPTEMBER 24, 2019**

**1.0 Call to Order**

Meeting called to order at 6:00pm.

**1.1 Roll Call**

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

Members absent: Madeline S. Mooney, Vice Chair

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

Others present: Town Manager Patricia Finnigan

**1.2 Pledge of Allegiance**

The Chair led the Pledge of Allegiance.

**2.0 Unfinished Business**

**2.1 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***

*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:

- Wes Elliott, Cedar Lane.
- Ben Hershenson, Myrtle Circle.
- Peter Kahn, 3 Tern Street.
- Wendy Levine, Obeds Lane.
- Chair Waite.
- Selectman Daley.
- Selectwoman Perry.
- Selectman Winn.

**092419-01** Motion made by Robert Winn, Jr. and second by Lindsey Perry to approve the Municipal Officers Certification of Official Text of Proposed Charter Amendment to be voted on at the November 5, 2019 Special Town Meeting; approved 3-1 (Daley), Mooney absent.

2.2 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.*]

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.

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.

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

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*]

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*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?

There were no comments or questions from the public or the Select Board.

**092419-02** Motion made by Robert Winn, Jr. and second by Lindsey Perry to approve this article to be on the Warrant for the Special Town Meeting; approved 4-0, Mooney absent.

Select Board Recommends:	\$75,909.64	Yes 4	No 0
		Absent 1	
Budget Committee Recommends:	\$75,909.64	Yes 4	No 1

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?

There were no comments or questions from the public.

Comments/questions from:

- Selectman Winn.
- Selectwoman Perry.

**092419-03** Motion made by Lindsey Perry and second by Robert Winn, Jr. to approve this article to be on the Warrant for the Special Town Meeting; approved 4-0, Mooney absent.

Select Board Recommends:	\$10,919.00	Yes 4	No 0
		Absent 1	
Budget Committee Recommends:	\$10,919.00	Yes 5	No 0

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?

**FINANCIAL STATEMENT**

1. Total Indebtedness
  - a. Bonds outstanding and unpaid: \$ 6,374,489
  - b. Bonds authorized and unissued: \$ 559,100
  - c. Bonds to be issued if this Article is approved \$ 700,000

2. Costs
  - a. At an estimated interest rate of 2.9% for a ten (10) year maturity, the estimated costs of this bond issue will be:

Principal:	\$ <u>700,000</u>
Interest	\$ <u>114,100</u>
Total Debt Service	\$ <u>814,100</u>

3. Validity

The validity of the bonds and of the voters' ratification of the bonds may not be affected by any errors in the above estimates. If the actual amount of the total debt service for the bond issue varies from the estimate, the ratification by the electors is nevertheless conclusive and the validity of the bond issue is not affected by reason of the variance.

/s/ \_\_\_\_\_  
Mandy Grenier,  
Town Treasurer

**092419-04** Motion made by Charles Waite, III and second by Robert Winn, Jr. to establish an Owners Construction

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Team to provide financial, construction, quality and overall project oversight to ensure the Main Beach Bathhouse and Lifeguard Station Project stays on track. The Team will be comprised of the following functions: 1<sup>st</sup>, a Project Manager, 2<sup>nd</sup>, a person to address the aesthetic considerations of the project, 3<sup>rd</sup>, a person to evaluate the work of the Construction Manager, General Contractor and the Subcontractors, and finally, a person to monitor the finances to ensure that it stays within the approved budget.

The Construction Team should be a small team so they can do their work efficiently. The Team members would be staff as well as other people the Select Board chooses for their expertise.

Comments from:

- Selectman Daley
- Selectman Winn
- Selectwoman Perry

**092419-05** Motion made by Robert Winn, Jr. and second by Lindsey Perry to rescind the motion to allow for public comment; approved 4-0, Mooney absent.

Comments/questions about Construction Team from:

- Richard Dolliver, 331 Shore Road.
- Phil Cavaretta, 74 Main Street.
- Peter Kahn, 3 Tern Street.
- Heath Ouellette, Meadow Lane.

**092419-06** Motion made by Charles Waite, III and second by Lindsey Perry to establish an Owners Construction Team to provide financial, construction, quality and overall project oversight to ensure the Main Beach Bathhouse and Lifeguard Station Project stays on track. The Team will be comprised of the following functions: 1<sup>st</sup>, a Project Manager, 2<sup>nd</sup>, a person to address the aesthetic considerations of the project, 3<sup>rd</sup>, a person to evaluate the work of the Construction Manager, General Contractor and the Subcontractors, and finally, a person to monitor the finances to ensure

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that it stays within the approved budget; approved 4-0, Mooney absent.

Comments/questions about the warrant article from:

- Marjorie Katz, Lilywood Lane.
- Wendy Levine, Obeds Lane.
- Phil Cavaretta, 74 Main Street.
- JP Argenti.
- Selectman Daley.
- Selectwoman Perry.
- Selectman Winn.

**092416-07** Motion made by Lindsey Perry and second by Robert Winn, Jr. to approve this article to be on the Warrant for the Special Town Meeting; approved 3-1 (Daley), Mooney absent.

Select Board recommends:	\$700,000.00	Yes 3	No 1
		Absent 1	
Budget Review Committee recommends:	\$700,000.00	Yes 3	No 2

2.3 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 Special Town Meeting*

There were no comments or questions from the public or the Select Board.

**092419-08** Motion made by Robert Winn, Jr. and second by Lindsey Perry to approve the Order to the Town Clerk of Placement of Secret Ballot Referendum Questions on the Ballot for the November 5, 2019 Special Town Meeting; approved 4-0, Mooney absent.

**3.0 Adjournment**

Motion made by Robert Winn, Jr. and second by John Daley to adjourn the meeting at 7:06pm; approved 3-1 (Daley), Mooney absent.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager