



**SELECT BOARD
MEETING MINUTES
NOVEMBER 19, 2019**

1.0 CALL TO ORDER

Meeting called to order at 6:00pm.

1.1 Roll Call

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

Members absent: Lindsey M. Perry

Motion made by Robert Winn, Jr. and second by Heath Ouellette to excuse Lindsey Perry from the November 19, 2019 Select Board meeting, approved 4-0.

Others present: Patricia A. Finnigan, Town Manager

1.2 Pledge of Allegiance

The Pledge of Allegiance was led by Chair Mooney.

2.0 MEETING MINUTES

2.1 April 2, 2019

Motion made by Robert Winn, Jr. and second by John Daley to approve the minutes of the April 2, 2019 Select Board meeting; approved 3-0. (**Note:** *Ouellette and Perry were not on the Board at that time.*)

2.2 May 7, 2019

Motion made by Robert Winn, Jr. and second by John Daley to approve the minutes of the May 7, 2019 Select Board meeting; approved 3-0. (**Note:** *Ouellette and Perry were not on the Board at that time.*)

2.3 July 2, 2019

Motion made by Robert Winn, Jr. and second by John Daley to approve the minutes of the July 2, 2019 Select Board meeting; approved 3-0. (**Note:** *Ouellette and Perry were not on the Board at that time.*)

2.4 September 17, 2019 (Tabled at last meeting)

Motion made by Robert Winn, Jr. and second by John Daley to approve the minutes of the September 17, 2019 Select Board meeting; approved 3-0, Perry absent. (**Note:** *Ouellette was not on the Board at that time.*)

2.5 October 15, 2019

The minutes of the October 15, 2019 Select Board meeting were tabled.

2.6 November 12, 2019

Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the minutes of the November 12, 2019 Special Select Board meeting as amended; approved 4-0, Perry absent.

3.0 PUBLIC HEARINGS - LIQUOR & AMUSEMENT

Public Hearing opened at 6:08pm.

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

Public Hearing closed at 6:09pm.

3.1 Jonathan's - Malt, Spirituous & Vinous License Renewal Application

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

Duke Flannery was in attendance to represent Jonathan's.

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111919-01 Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the Malt, Spirituous & Vinous Liquor License Renewal Application for Jonathan's; approved 4-0, Perry absent.

3.2 Jonathan's - Amusement License Renewal Application

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

111919-02 Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the Amusement License Renewal Application for Jonathan's; approved 4-0, Perry absent.

3.3 The Old Village Inn - Amusement License Renewal Application

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

Tom Bussone was in attendance to represent The Old Village Inn.

111919-03 Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the Amusement License Renewal Application for The Old Village Inn; approved 4-0, Perry absent.

4.0 **PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS**

4.1 Historical Society of Wells and Ogunquit

Julia Einstein, Joe Hardy and Sonny Perkins were in attendance to explain their presence at the Select Board meeting.

Mr. Hardy explained that the Historical Society owns the meetinghouse building in Wells, which has been home to the Historical Society for many years, and is responsible for all aspects of the building. Mr. Hardy explained that the building has no insulation in the building so they have huge heating bills. He was present to get Select Board support for a warrant article on the Annual Town Meeting Warrant for \$8,000 to support the installation of insulation. They are requesting \$17,000 from the Town of Wells.

Julia Einstein gave some information about the building; it is on the National Register. She also explained that the current grant that they are working is to paint and plaster the interior of the building. They apply for different grants every year to cover improvements of the building.

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Ms. Einstein gave an overview of the programs that are held at the meetinghouse:

- Music in the Meetinghouse; sponsored by Barnacle Billy's. It is about the "Ice House Gang" the group of musicians that played in Perkins Cove.
- DIY History Games for families; sponsored by Cricket Toys & Kites.
- History Walk & Talk, this year it included Ogunquit cemeteries and Ogunquit houses.
- Programs for the Wells-Ogunquit CSD.
- Commented on the VIP tours that they have been holding; sponsored by a grant from the Morton-Kelly Foundation.
- Spoke about the "Ring the Bell" campaign to repair the bell, which has raised \$5,000 of the \$75,000 to restore it.
- Spoke about the window restoration project grant.

Sonny Perkins stated that he was here to support the Historical Society. The "Woodies in the Cove" event raised over \$10,000 for the society.

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

The Select Board took a consensus of the budget request.

- Select Board Member Winn was in favor of putting it on the warrant, the people of the town have the vote in whether it passes or not.
- Select Board Member Daley was in support, as a separate article from the funding support article.
- Select Board Member Ouellette was in full support.
- Chair Mooney was also in favor of putting it on the warrant.

4.2 Main Beach Bathhouse & Lifeguard Station Workgroup Report

Phase II of the bathroom project for the Main Beach was passed by the voters. The Select Board had established a workgroup with members from the Select Board and the Budget Review Committee to monitor the project. The members are Select Board Member Daley, Select Board Member Winn and members from the Budget Review Committee, Tom Sellers and Peter Kahn.

Select Board Member Daley reported on the following:

- The group has met twice so far with the construction manager, town staff and Town Manager.

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- The scope of work covered by the work group so far included overview of the construction management process, review of bidding process and bids submitted, review of alternates, review of the overall project budget, review of the change order process, review of the project schedule timeline.
- The workgroup took a fairly deep dive into the project and have reached consensus on the following:
 - Bidding process was fair and competitive, including reaching out to local contractors.
 - Total budget project is approximately \$1.176M, which is the guaranteed maximum price of the project.
 - Change Orders can only be approved if the town changes the scope of the work.
 - Once work begins, the work group will meet weekly and will monitor the progress of the project until completion.
 - Start date will be in late November.

Bids are available if anyone wants them.

Discussion was held on the cost of construction.

Public Comment & Questions:

- Phil Cavaretta, Main Street.
- Lesley Mathews, 13 High Ridge Lane.

Select Board Member Ouellette asked questions about the bid process, when the bids would be posted, and the total cost of the project. He also noted that the workgroup did not have any women members, except for the Tow Manager who is staff.

Tom Sellers, Member of the Bathhouse Workgroup

- Spoke about Phase I and Phase II of the project and the cost of the Construction Project and Project Manager.

5.0 **COMMITTEE APPOINTMENTS & RESIGNATIONS**

5.1 **Charter Commission - Appointment Process**

The Select Board reviewed the appointment process for the Charter Commission.

The Select Board is required to appoint three (3) members to the Charter Commission within thirty (30) days of the voter approval. At the next Town Meeting, six (6) members must be elected by the voters.

Terry Ann Lunt will be meeting with the Select Board at the end of the meeting for an interview.

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5.2 Marginal Way Committee - Appointment

Elaine Cooper is applying for this committee, she has already been interviewed. There are no other active applicants for this committee.

111919-04 Motion made by Heath Ouellette and second by Robert Winn, Jr. to appoint Elaine Cooper to the Marginal Way Committee, term to expire June 30, 2021; approved 4-0, Perry absent.

5.3 Budget Review Committee - Seeking applicants

Heath Ouellette presented his resignation as a member of the Budget Review Committee due to his election as a member of the Select Board.

The Select Board will be accepting applications until December 12th for appointment at the December 17th meeting.

5.4 Sustainability Committee - Seeking applicants

The Select Board is seeking applications in addition to the ones that have been received. This committee was approved by the Select Board about a couple of months ago.

The Select Board will be accepting applications until December 12th for interviews on December 17th.

5.5 Select Board Liaisons - Discussion and appointments

This agenda item will be taken up at a future meeting of the Select Board.

6.0 UNFINISHED BUSINESS - None

7.0 TOWN MANAGER'S REPORT

Town Manager Finnigan:

- Thanked the staff for their work during the election.
- Thanked the people who were willing to run for office. She commended the candidates, and congratulated the winners.
- Public Safety training will be occurring with the Police Department and Fire Department through the end of the year.

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- Reported that safety audits are being performed by the Town's Worker's Compensation Provider.
- Public Works Director, Tom Torno, has been getting out meeting people, getting to know the town, and addressing a backlog of tasks.
- Budget process is starting earlier this year with the Department Budgets.
- Taxes were due last Friday, November 15th; tax collections are on track at.
- At this point in the year, expenditures are on track at about 40%.
- FEMA - received check for \$82,000+ this past week; have received over \$300,000 to date.
- Thoughts to Lindsey Perry and her family. Lindsey expressed how grateful she was to the First Responders and Paramedics.
- Noted how fortunate we are to be in Ogunquit, especially when you look at what is happening in other places in the world, wished everyone a happy Thanksgiving.

8.0 NEW BUSINESS

8.1 Sustainability Committee Resolution

The Select Board approved the establishment of a Sustainability Committee. They discussed formalizing the committee by approving a document that described its membership, terms, and duties.

Membership: The Sustainability Committee will have 5 members who will serve three-year staggered terms. The Alternates will be appointed to serve 1-year terms.

Duties: The Sustainability Committees will be responsible to the Select Board and advise the Select Board and perform tasks as directed by the Select Board regarding climate change, the Town's carbon footprint, energy conservation, and coastal resiliency. The Committee will also help provide community education be a resource to homeowners and businesses regarding sustainability issues.

Comments/Questions from the Public & Select Board:

- Joan Griswold
- Select Board Member Winn
- Select Board Member Daley
- Select Board Member Ouellette
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To ensure the Town's efforts are being coordinated, the Select Board discussed adding a provision in the Resolution to direct the Sustainability Committee to

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involve other Town Committees which work on environmental issues such as the Marginal Way Committee and the Conservation Commission. With the understanding that this change would be incorporated into the Resolution, the Board approved the Sustainability Committee's membership and duties.

111919-05 Motion made by Robert Winn, Jr. and second by John Daley to approve the membership make-up of the Sustainability Committee; approved 4-0, Perry absent.

8.2 Regional Sustainability Initiative

Over the past couple of months, a group of six towns have been meeting to discuss jointly establishing a position at the Southern Maine Planning and Development Commission (SMPDC) to work on issues related to energy planning, sustainability and coastal resiliency due to the impacts from rising sea levels and more frequent storm events. As a result of these discussions, the six towns (Kittery, York, Ogunquit, Wells, Kennebunk and Kennebunkport) agreed that pursuing such a position, as a two year pilot program, would be the most cost effective and efficient way to address these issues. SMPDC has worked with the communities and plans to establish a dedicated position which can support the efforts of all the communities. The proposal not only establishes a Sustainability/Coastal Resilience position, it provides cash match for ongoing grant efforts. At the end of two years all communities and SMPDC will assess the results. The proposal is as follows:

Outline of Job

- We would advertise for a full time Sustainability/Coastal Resilience Coordinator with an expertise in energy and sustainability.
- The person would work with all six communities and their various committees dealing with energy, sustainability, climate change and sea level rise. The communities currently are in different places with respect to what has been done or is needed. We are ready to take that into account, so the support will be tailored to each community.
- The Coordinator will work with Abbie Sherwin, our Senior/Coastal Planner who has expertise in sea level rise and resiliency. The position will also be supported by other staff at SMPDC as needed.

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SMPDC has put together a job description which is available if desired.

Current Efforts

SMPDC is currently working on coastal issues and hopes to be able to leverage additional dollars for this work. It is important to note that dedicated funds from the towns can be used as match for the following projects:

- SMPDC and three of the towns (York, Wells and Kennebunk) recently received a Maine Coastal Program for \$75,000 to study sea level rise implications for municipal infrastructure and finances. Additional funds though the communities could leverage more research and data for the entire six town region. A \$10,000 match is needed for this project.
- As York County was the only national designated disaster area in Maine for the March 2018 storms, we are eligible and plan to apply for a federal Economic Development Administration

111919-06 Motion made by John Daley and second by Heath Ouellette to support the Southern Maine Planning and Development initiative and approve the funding of \$7,500 for six months (June 30, 2020); approved 4-0, Perry absent.

8.3 FB Environmental Phase III Water Quality Contract Award

The Town of Ogunquit has been working with FB Environmental for over five years on the watershed project. They assist with environmental protection grants to protect the watershed, to do water quality testing along the Ogunquit River, Josias River and storm water management. They do public outreach, on behalf of the town, public education throughout the community. FB Environmental writes grants for funding with the Department of Environmental Protection; the latest grant has been approved.

The project was put out to three environmental firms to provide the work of the grant, two did not respond. FB Environmental responded to the RFP.

The total cost of the projects in Phase III is approximately \$100,000; the town's share is \$40,000. The federal grant is \$60,000 which will be spread out over a couple of years. The current budget contains funding for this project; and the town also receives credits for in-kind services.

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111919-07 Motion made by John Daley and second by Robert Winn, Jr. to award the contract to FB Environmental Associates for the Ogunquit River Restoration Project Phase III; approved 3-0-1, Ouellette abstained, Perry absent.

8.4 Select Board November 12, 2019 Workshop Report

a) **Communications**. At the November 12 workshop, the Select Board discussed communications practices that would be based on:

- Upmost courtesy to each other and the public. No derogatory remarks or personal charges.
- Act as one body.
- Rules, Code of Ethics, Charter.

(See "Ogunquit Select Board "Communications Consensus" dated November 12, 2019)

Comments by the Public

- Rick Dolliver, 331 Shore Rd questioned limiting "political speech" on social media.

Select Board members discussed Mr. Dolliver's comment and Select Board Member Ouellette suggested alternate language. Chair Mooney asked Select Board Member Ouellette to send his suggested language for the Select Board to consider.

b) Goals and Priorities. At the November 12 workshop, the Select Board discussed its on-going list of goals and priorities as a starting point for the FY21 Budget process. (see "Draft Ogunquit Select Board Ideas for Workshop Discussion to Set Priorities" dated Nov 12, 2019.)

Comments and Questions on this agenda topic:

- Select Board Member Daley
- Select Board Member Ouellette

9.0 **CITIZENS COMMENTS** (for Town topics not on the Agenda)

- Patience Sundaresan - commented on abstention rule for Select Board members.
- Marjorie Katz, Lilywood Lane - commented on having information available for construction projects along the river and estuary.
- Wendy Levine, Obeds Lane - commented on the voting process and voter list.

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10.0 OTHER BUSINESS

10.1 Set December Meeting Dates:

- a. December 3
- b. December 17

10.2 Select Board Reports and Announcements

Select Board Member Winn

- Commented on the pleasant nature of the last few meetings.
- Thoughts to Lindsey and her family.

Select Board Member Ouellette

- Apology and comments on his statement made about diversity.
- Reminded everyone about the "Spirit of Giving".
- Land Use Office - Food and Pet Food Drive.
- Information about the Ogunquit Rotary Club Luncheon on December 12th.
- Comments about things to be grateful for and encouraged everyone to think about it.
- Statement on his election.
- Thank you to Fred Lynk on the election he ran.
- Thank you to town staff for their work during the election, the Land Use Office and the Police Department.

Chair Mooney

- Thank you to the audience for their participation.
- Have a happy and safe Thanksgiving.

11.0 ADJOURNMENT

Motion made by Robert Winn, Jr. and second by John Daley to adjourn the meeting at 8:27pm; approved 4-0, Perry absent.

Respectfully submitted

Cheryl L. Emery, Administrative Assistant to the Town Manager

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