



**SELECT BOARD  
MEETING MINUTES  
APRIL 7, 2020**

**1.0 Welcome and Call to Order**

Meeting called to order at 6:11PM.

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

Others present: Town Manager Patricia A. Finnigan

Before the meeting started, Chair Mooney stated that she would like everyone to take a moment of mindfulness, with gratitude to the heroes of the pandemic; all the health professionals, emergency personnel and other high risk people that are still working in jobs. And of course, sympathy to those that are mourning and those that are ill themselves while struggling to make ends meet.

Thank you to Matt Buttrick from the Ogunquit Police Department for setting up this teleconference or audio conference so that people can ask questions just as if they were in the Dunaway Center.

Chair Mooney reviewed the State of Maine Emergency Order that is now in place.

**2.0 Meeting Minutes**

- 2.1 March 4, 2020 Select Board Meeting - no edits to the minutes.
- 2.2 March 10, 2020 Select Board Meeting - no edits to the minutes.
- 2.3 March 19, 2020 Select Board Meeting - no edits to the minutes.
- 2.4 March 24, 2020 Select Board Meeting - no edits to the minutes.

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Motion made by Robert Winn, Jr. and second by John Daley to approve the March 4<sup>th</sup>, March 10<sup>th</sup>, March 19<sup>th</sup> and March 24<sup>th</sup> minutes as written; approved 5-0.

**3.0 Liquor and Amusement Licenses**

*S.P. 789 In Senate, March 17, 2020*

*An Act To Implement Provisions Necessary to the Health, Welfare and Safety of the Citizens of Maine in Response to the COVID-19 Public Health Emergency (EMERGENCY)*

*Reference to the Committee on State and Local Government suggested and ordered printed.  
DAREK M. GRANT Secretary of the Senate*

*Sec. F-1. Registrations issued by a municipality. This section affects certain registration and licensing performed at the municipal or county level.*

*2. **Renewal of licenses for sale of liquor.** Notwithstanding Title 28-A, section 653, subsection 1 or any other law or municipal charter provision or ordinance to the contrary, during the period of a state of emergency declared by the Governor in accordance with Title 37-B, section 742 due to the outbreak of COVID-19 and 30 days following the termination of that state of emergency, the municipal officers or, in the case of unincorporated places, the county commissioners may grant the request for a renewal of a license issued pursuant to Title 28-A, Part 3 without a hearing; this subsection does not prohibit the municipal officers or county commissioners, as applicable, from denying a renewal of a license issued pursuant to Title 28-A, Part 3 based upon a finding specified in Title 28-A, section 653, subsection 2 or 3.*

- 3.1 La Pizzeria - Malt, Spirituous & Vinous Liquor License Renewal
- 3.2 Northern Union - Malt, Spirituous & Vinous Liquor License Renewal
- 3.3 Ogunquit Playhouse - Malt, Spirituous & Vinous Liquor License Renewal
- 3.4 Ogunquit Playhouse - Amusement License Renewal
- 3.5 Roberto's - Malt, Spirituous & Vinous Liquor License Renewal
- 3.6 Roost Café & Bistro - Malt, Spirituous & Vinous Liquor License Renewal
- 3.7 So Zap - Malt, Spirituous & Vinous Liquor License Renewal
- 3.8 That Place in Ogunquit - Malt, Spirituous & Vinous Liquor License Renewal
- 3.9 The Front Yard - **New** Malt, Spirituous & Vinous Liquor License Application

**040720-01** Motion made by and Robert Winn, Jr. and second by Lindsey Perry to approve the Liquor Licenses for:

- La Pizzeria
- Northern Union
- Ogunquit Playhouse
- Roberto's
- Roost Café & Bistro
- So Zap

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That Place in Ogunquit  
Motion passed 5-0.

**040720-02** Motion made by Heath Ouellette and second by Robert Winn, Jr. to approve the Amusement License Renewal for the Ogunquit Playhouse; approved 5-0

**040720-03** Motion made by Robert Winn, Jr. and second by John Daley to approve the New Liquor License Application for the Front Yard; approved 5-0.

#### **4.0 State Legislative Report**

##### **4.1 Report from State Legislators:**

Senator Mark Lawrence was in attendance to review the Payroll Protection Program and to answer questions from the Select Board.

- Selectman Daley.

Representative Patty Hymanson was in attendance to answer questions from the Select Board.

- Selectman Ouellette.

Remote comments/questions from:

- Neil DeLuca.

##### **4.2 Main Beach Bathhouse & Lifeguard Station Update**

Member of the oversight team, John Daley, gave an update on the status of the Main Beach Bathhouse and Lifeguard Station building construction progress. The project is on schedule and on budget.

#### **5.0 Town Manager Report**

##### **A. FY 20 Monthly Finance Report through March 31.**

The Town is entering into the fourth quarter of the fiscal year, revenues are close to 97% and expenditures are at approximately 81.7%.

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Sending out tax bills later this week, which are due May 15<sup>th</sup>.

If the town is unable to have the Annual Town Meeting on time, then the Emergency Legislation passed by the State allows towns to use the current fiscal year budget amount as a working budget in the next fiscal year until town meeting is held and budgets are passed.

Comments/questions:

- Selectman Ouellette.
- Selectman Daley.

Town Manager Finnigan explained the tax bill process and remedies that the Select Board could take to ease some of the burden to the taxpayers.

Ms. Finnigan also gave an update on the status of Town Employees.

B. Update regarding the Town's Actions re: COVID-19 State of Civil Emergency and the Governor's "Stay Healthy at Home" Order:

1. Public Health and Safety
2. Government Operations

Town Manager Finnigan gave an update on all the Town Departments.

Town Clerk Chris Murphy explained the items that can be done online and what things can be done through a process of shuttling papers back and forth from the residents to the town office.

Town Manager Finnigan explained the status of the Beach Pass Program.

3. Town Meeting, FY21 Budget, and Elections

Town Clerk Chris Murphy gave an update on the status of nomination papers, filing deadline, town meeting, absentee balloting and voter registration.

## 6.0 New Business

- 6.1 Request by the Chamber of Commerce to change the date of a previously approved Special Event (Bonaire) from June 13 to Sept. 26 (rain date Sept. 27) due to COVID-19

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Alice Pearce, Executive Director, Chamber of Commerce was present to answer questions. Also available for this session were Brian Crawford (Chamber of Commerce) and Michelle Low (Recreation Committee).

**040720-04** Motion made by Robert Winn, Jr. and second by John Daley to approve the Chamber of Commerce request to change the date of the previously approved Special Event "Bonaire" from June 13, 2020 to September 26, 2020 (with a rain date of September 27, 2020) due to COVID-19; approved 5-0.

## 6.2 Consider Limiting Temporary Rental and/or Occupancy of Temporary, Short Term, and Seasonal Accommodations During the COVID-19 Pandemic State of Emergency

The Town is required to follow the order passed by the State Maine:

On April 3, Maine Governor Janet Mills issued the following [Executive Order](#) that Orders the following:

1. To preserve the public health and safety, to ensure the public health and health delivery system are capable of serving all, and to help protect those at the highest risk and vulnerability, any person, resident or non-resident, traveling into Maine must immediately self-quarantine for 14 days or for the balance of 14 days dating from the day of arrival, except when engaging in essential services as defined in Executive Order 19FY 19/20.
2. The Department of Transportation and the Maine Turnpike Authority are hereby directed to post a summary of this Order at all major points of entry into Maine and on highway message boards. The Portland Jetport, the Bangor International Airport and all other Maine airports, all bus stations and passenger train stations are also directed to post the substance of this Order.
3. Guidance for self-quarantine may be made available by the Maine Center for Disease Control and Prevention.
4. Visitors are instructed not to travel to Maine if they are displaying symptoms of COVID19, and are advised not to travel to Maine if they are travelling from cities and regions identified as COVID-19 "hot spots," including, among others, the cities of Detroit, Chicago and New York City. In addition, residents of the States of New York, New Jersey and Connecticut should refrain from travel to Maine in strict compliance with USCDC travel guidance issued Saturday, March 28, 2020 and any subsequent travel guidance that may be issued during the pendency of this Order.
5. For the purpose of clarifying Essential Services as defined in 19FY 19/20, effective April 5, 2020 at 12:00 noon, all lodging operations and accommodations shall close except to the extent of providing lodging for the purposes stated below. Lodging operations and accommodations are defined to include, but not limited to, hotels, motels, bed and breakfasts, inns, short term rentals, such as those made available through VRBO, Homeaway, AirBnb and other services, parks for recreational vehicles and campgrounds, and all public and private camping facilities. Lodging may be provided only for the following purposes:

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- a) *Housing vulnerable populations, including children in emergency placements, persons at risk of domestic violence, and homeless individuals as permitted by the State.*
- b) *Providing accommodations for health care workers or other workers deemed necessary to support public health, public safety or critical infrastructure.*
- c) *Use of lodging properties as self-quarantine or self-isolation facilities as arranged by the State.*
- d) *Limited verifiable extenuating circumstances for the care and safety of residents as otherwise approved by the State.*

*On-line reservations shall be suspended, and lodging providers shall post a prominent notice on their web platforms to advise potential guests that reservations for lodging in Maine, as allowed above, shall be accepted by phone only.*

*Lodging providers may permit existing guests to remain through the end of their scheduled stay but may not allow stay extensions or new reservations, except for the purposes set forth above*

**040720-05** Motion made by John Daley and second by Robert Winn, Jr. to table the agenda item regarding the Governor's April 3<sup>rd</sup> Order; approved 5-0.

6.3 Consider Waiving the Household Trash Disposal Per Bag Charge During the COVID-19 Pandemic State of Emergency.

*Town of Ogunquit  
Order for a Temporary Waiver of the Household Trash Disposal  
"Per Bag Charge" During the COVID-19 Pandemic State of Emergency.*

*WHEREAS, COVID-19 is a communicable disease that is easily contracted through personal contact with infected individuals in the community; and*

*WHEREAS, COVID-19 is a highly infectious and poses an imminent threat of substantial harm to our citizens and Town employees; and*

*WHEREAS, Trash Collection and Transfer Stations are defined as essential operations during this period of a public health emergency; and*

*WHEREAS, the most effective ways to stop the spread of COVID-19 is frequent and thorough handwashing, and diligently practicing physical distance of at least 6 feet from another individual; and*

*WHEREAS, the Transfer Station employees have taken precautions, instituted safeguards, and altered its operations to help protect the public and the employees; and*

*WHEREAS, the Municipal Code provides that people may dispose of one 33-gallon trash bag for free each day, but a person is charged \$1 dollar for trash in excess of that amount; and*

*WHEREAS, it is difficult to maintain a safe worksite and maintain the recommended physical distancing in a manner consistent with CDC guidelines which is detrimental to the health and well being of the public and the Transfer Station employees; and*

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WHEREAS, the \$1 charge encourages people to make multiple trips to the Transfer Station to avoid paying the fee, which encourages unnecessary trips to the Transfer Station and that increases the number of face-to-face contact between the public and the employees contrary to the Governor's "Stay Healthy at Home" Emergency Order; and

WHEREAS, protecting the health and well-being of the people of Ogunquit and the Ogunquit Town Employees is the Town's top priority;

NOW THEREFORE BE IT ORDERED that the aforementioned \$1 fee be waived effective at midnight on April 7, 2020, through May 30, which period can be extended if necessary; be it further Ordered that the Town Manager will report on effects of this waiver.

**040720-06** Motion made by Robert Winn, Jr. and second by Lindsey Perry to waive the household trash disposal per bag charge of \$1.00 during the COVID-19 Pandemic State of Emergency; approved 5-0.

#### 7.0 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.

Remote comments/questions from:

- Mark MacLeod

#### 8.0 Select Board Comments

- Selectman Daley
- Selectman Winn
- Selectwoman Perry
- Selectman Ouellette
- Chair Mooney

#### 9.0 Adjourn

Motion made by Robert Winn, Jr. and second by Lindsey Perry to adjourn the meeting at 8:35pm; approved 5-0.

Respectfully submitted,

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Cheryl L. Emery, Administrative Assistant to the Town Manager

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