



**SELECT BOARD
MEETING MINUTES
MAY 19, 2020**

This meeting was conducted remotely via Zoom during the COVID-19 State of Emergency.

1.0 Welcome and Call to Order

Meeting called to order at 6:00pm.

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

John M. Daley - was late in arriving at the meeting.

Others present: Patricia A. Finnigan, Town Manager
Bob Whitelaw, COVID-19 Task Force Chair
Christine Murphy, Town Clerk
Mandy Cummings, Town Treasurer

A moment of silence was observed to think about the people that have been harmed by the COVID-19 virus.

2.0 Meeting Minutes

2.1 May 5, 2020

Motion made by Robert Winn, Jr. and second by Heath Ouellette to table the minutes of the May 5, 2020 Select Board meeting until the next meeting of the Select Board; approved 3-0.

3.0 Liquor and Amusement Licenses

3.1 La Orilla - Malt, Vinous & Spirituous Liquor License Renewal

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Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

3.2 Norseman Resort - Malt, Vinous & Spirituous Liquor License Renewal

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

3.3 Smokey B's Gin Mill - Malt, Vinous & Spirituous Liquor License Renewal

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

3.4 The Patio - New Application - Malt, Vinous & Spirituous Liquor License

Recommended for approval by the Police Chief, Fire Chief and Code Enforcement Officer.

051920-01 Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the New Malt, Vinous & Spirituous Liquor License Application for The Patio; approved 4-0, Daley not present to vote.

051920-02 Motion made by Robert Winn, Jr. and second by Heath Ouellette to approve the following Malt, Vinous & Spirituous Liquor License renewals for:

La Orilla
The Norseman
Smokey B's Gin Mill

Approved 4-0, Daley not present for the vote.

4.0 Presentations, Proclamations, Resolutions & Communications

4.1 Well High School Class of 2020 Tribute Parade: June 7, at 1:00 p.m.

The Wells High School Class of 2020 Tribute Parade will be held on June 7, 2020. It will begin from the parking lot of the Messiah Christian Church in Wells at 1:00 p.m. Each senior will be a passenger in a line of vehicles that will be driven by a family member. The motorcade of our 2020 Seniors will be led by our Wells-

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Ogunquit first responders and will proceed south on Route One, through a "sea of red" in support of our graduates, concluding in Ogunquit. We hope to have a safe and fun way to celebrate our Class of 2020 and to honor all the contributions they have made to Wells High School and our communities of Wells and Ogunquit. We are proud of our Class of 2020 and look forward to their celebrations ahead!

4.2 COVID-19 Community Task Force Report - Bob Whitelaw

Mr. Whitelaw, Chair, stated that the Task Force had two recommendations for the Select Board. Seven members of the Task Force voted in favor, one against and one member of the group was absent.

*The Community COVID-19 Task Force recommends the opening of
The Marginal Way*

Activities

- Re-open Marginal Way on June 1st.
- Allow two-way traffic.

Important Guidelines

- Walk at your own risk.
- Wear face covering.
- Practice social distancing.
- Keep moving - Do Not Linger.
- Carry a hand sanitizer.
- Do not touch anything.
 - We do not sanitize surfaces (benches, railings, etc.)
- Carry in/carry out your belongings.
- Stay on path - protect our native plants.
- If you are sick, stay home!

Critical Implementation Criteria

- Guideline signage prepared and installed prior to June 1.
- Signage posted at the entrances and along the route, number of signs determined by town authorities.
- Consider using CSO colleagues to discourage large groups.
- Monitor use and compliance and make adjustments as necessary.

Comments/questions from:

- Selectman Winn

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- Selectwoman Perry
- Selectman Daley
- Selectman Ouellette
- Robert Whitelaw
- Karen Topchik
- Joan Griswold
- Wendy Levine
- Kristen Arnold

051920-03 Motion made by John Daley and second by Lindsey Perry to reopen the Marginal Way on June 1st, 2020 per the Task Force guidelines including the requirement to wear a face mask; approved 5-0.

Robert Whitelaw, Chair, of the Community COVID-19 Task Force presented their recommendations on Restaurants and Retail opening. The Task Force approved the recommendations 8-0, 1 absent.

***PROPOSAL TO EXPAND OUTSIDE RESTAURANT & RETAIL FOOTPRINTS
DURING THE UPCOMING TOURISM SEASON***

RATIONALE

Open-air dining and shopping are likely the single most cost-effective way the town can support businesses this season.

Relaxing the rules regarding outside sales also underscores the town's commitment to safe dining and shopping. Guests will feel safer in an outdoor setting.

Restaurants - Zoning flexibility allows our restaurants to come as close as possible to maintaining their current capacities (seating limits, etc.) by utilizing the outdoor areas of their properties (lawns, parking lots, etc.) to allow for lower customer density.

Retail - Zoning flexibility allows our retail businesses to provide more safe circulation space within the shop, and let shoppers see a selection of products in a comfortable and healthy manner before they enter the store or while waiting in line to visit. Most of our shops will currently be allowed five customers at a time, compared to the hundreds that typically visit on any given day during the summer season.

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SUMMARY

Restaurants:

Select Board would need to relax some sections of the zoning ordinance, e.g., off street parking & loading, signs and possibly lighting.

- ▶ *Process for liquor consumption approval based on BABLO regulations.*
- ▶ *Restaurants would be required to follow protocols for outside dining, based on Maine DECD guidelines.*

Retail:

- ▶ *Select Board would need to relax some sections of the zoning ordinance, e.g., off street parking & loading, signs and possibly lighting.*
- ▶ *Retail businesses would be required to follow protocols for outside retail sales, based on Maine DECD guidelines.*

DETAILS

1) Outdoor space:

Businesses should be allowed to maintain their current capacities (seating limits, customer occupancy, etc.) but may utilize the outdoor areas of their properties (lawns, parking lots, etc.) to allow for lower customer density. In the case of multiple tenant properties, the tenants and owners would establish the priorities. No additional seating beyond what has been previously approved on the latest license would be allowed.

Town manager or designee shall be authorized to administratively allow town parking and public spaces to be used for alternative purposes within reason. Such spaces could assist with curbside pickup, pedestrian walkways, or the opportunity to reduce customer densities. This shall also include the authorization to create temporary parking spaces if needed. All such modifications must be made in writing and reported to the Select Board at the next available meeting.

Requests for these allowances would be considered on an individual basis and could be recognized provided that businesses acknowledge that this consideration is only a temporary accommodation that the town is extending in the extraordinary circumstances of the current pandemic; accommodation will cease as soon as the

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state of emergency is terminated by the Governor or other time as determined by the Select Board.

In exchange for these temporary allowances, each business must be following the operation guidelines created by the Maine DECD for their business category. Repeated failure to adhere to stated social distancing, sanitary and safety standards could result in the rescinding of these temporary allowances.

2) Signage:

We request a moratorium on the sign ordinance through December 31, 2020 with the following stipulations.

- ▶ All businesses be allowed to have one outdoor sign (2 ft x 3 ft sandwich board).*
- ▶ No restrictions on signage on the outside of business windows.*
- ▶ No restrictions on flags or banners attached to a building promoting the theme "Open for Business" or "Welcome back".*

3) Parking:

Appropriate town staff should work with businesses on a case by case basis to identify parking needs for curbside delivery and takeout, making allowances where possible for designated parking spots. Take each business on a case by case basis, to be reassessed each month as we transition to expanded business openings.

4) Lighting:

The Select Board should relax the restrictions on outside lighting in expanded dining and sales areas if necessary, for safety or aesthetics, if it does not adversely affect passing motorists or produce unnecessary glare.

IN CLOSING

Many towns are also considering allowing businesses to expand into private and public outdoor space, shutting down parking spaces to create more room for pedestrian walkways, and closing specific streets and rerouting traffic for restaurants & shops to expand into that space & provide additional space for pedestrian social distancing.

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According to *HospitalityMaine*, Governor Mills is supporting this flexibility to help the tourism economy.

These include but are not limited to:

In Maine: Rockland, Portland, Kennebunk, Kennebunkport, York, Bath, Kittery.

In New Hampshire: Hampton Beach, Manchester, Concord, Nashua, Keene.

Comments/questions from:

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

051920-04 Motion made by Lindsey Perry and second by Robert Winn, Jr. to table the discussion on the "Proposal to Expand Outside Restaurant & Retail Footprints during the Upcoming Tourism Season" to a meeting to be scheduled later this week if at all possible if three (3) board members can attend; approved 4-1, Daley in opposition.

4.3 Main Beach Bathhouse and Lifeguard Station Update- John Daley and Bob Winn

Members of the oversight team, Robert Winn, Jr. and John Daley gave an update on the status of the Main Beach Bathhouse and Lifeguard Station building construction progress. A walk through was completed by the Main Beach Bathhouse and Lifeguard Station Work Group. Project is on schedule and on budget.

Comments/questions:

- Selectwoman Perry
- Selectman Ouellette

5.0 Town Manager Report

5.0 COVID-19 Update

Town Manager Finnigan gave an update on:

- Town Hall will be open to the public on June 1st with COVID guidelines in place.

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- There will be a deep cleaning of the Town Office prior to opening on June 1st.

Town Clerk Christine Murphy gave an update on the election process for the July 14, 2020 Annual Town Meeting.

5.1 FY21 Budget

- Workshop held on May 18th regarding the budget.
- Town Manager Finnigan explained the Public Works Budget and the Special Projects Manager.
- Next budget reviewed was the Transfer Station.
- Next budget reviewed was the Harbormaster's budget.
- Facilities were the next budget reviewed.
- Information Services budget was reviewed.
- Reviewed Committee Budget requests.
- Insurance was reviewed.
- Civic Organizations were reviewed by the Town Manager.
- Debt Service was reviewed.
- Treasurer Mandy Cummings gave a review of debt, reserve accounts and CIP.
- The next step in the process is to give the budget to the Budget Review Committee (BRC) with some guidance.
- A joint meeting with the BRC will be held on Tuesday, May 26th to review and vote on the budget.
- Recommendations: maintain the mil rate at \$8.00 per thousand; adopt the budget expenditures (that may be adjustable over time), use of Undesignated Fund Balance.

Comments/questions from:

- Selectman Winn
- Selectman Ouellette
- Treasurer Cummings.

Selectman Daley left the meeting at 8:53pm.

6.0 New Business

There was no new business before the Select Board.

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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.

Comments/questions from:

- Bill Sawyer
- Phyllis Walsh
- Kat Anderson
- Pat Hussey
- Marc Saulnier
- Scott Vogel
- Rick Dolliver

8.0 Select Board Comments

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

9.0 Adjourn

Meeting adjourned at 9:41pm.

Respectfully submitted,

Cheryl L. Emery, Administrative Assistant to the Town Manager

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