

## 1. Meeting Materials

### Documents:

[CRC AMENDED MINORITY REPORT 02.22.2022.PDF](#)  
[CRC CERTIFICATION LETTER 02.22.2022.PDF](#)

## **Town of Ogunquit - Charter Review Committee Minority Report**

16 February 2022

(Peter Griswold, Pat Hussey, Terry Ann Lunt & Wendy Levine)

Five Members of Ogunquit's Charter Review Commission (CRC) voted **NOT** to allow the residents of Ogunquit to have a voice on the following Motion proposed by the four other members listed above as part of Article 104 of the revised Charter:

**“The Town of Ogunquit shall establish an independent Ethics Committee consisting of five (5) voters of the Town, elected at the annual Town Meeting to serve a maximum of two (2) terms of three (3) years each.**

**The Committee will create educational programs focused on the Code of Ethics established by the Select Board, provide a safe place to seek advice and counsel, and hear and investigate potential violations when appropriate, resulting in a report for the Select Board's review and resolution.”**

### **Background:**

Many people in Ogunquit provided feedback concerning the revised Charter, suggesting the Town create clear and unambiguous standards of conduct to limit divisiveness. With that suggestion in mind, the CRC established an Ethics Sub-Committee that spent over a year researching multiple towns across Maine and NH to identify best practices and commitments to ethical conduct that might be suitable for Ogunquit. The members of the Sub-Committee are the authors of this minority report.

### **Results:**

Their research uncovered a solution in the form of an Ethics Committee focused on education. It begins with a clearly written Charter and Code of Ethics that establish a framework for public servants and the town at large to follow. Without exception, the towns that created an Ethics Committee successfully forged a common understanding of ethical behavior that resulted in less divisiveness, fewer violations, greater trust, and increased confidence in their municipal government. Town representatives stated that once everyone understood the code of conduct, and the consequences of any violations, townspeople began to embrace honesty, integrity, and respect for others. They all credited their Ethics Committees for being the catalyst for this major accomplishment.

### **Summary:**

Five CRC Members voted against the above motion (5 to 4) that would create an Ethics Committee in Ogunquit focused on education, providing guidance to our governing body and citizens, and formulating a safe process for addressing concerns. We regret that Ogunquit residents are being denied an opportunity to vote for an Ethics Committee – an effective forum that would help build greater trust in our Town Government. We hope the Town will eventually find a path forward unifying around the Charter, Code of Ethics, and a much-needed Ethics Committee.



**Bernstein, Shur,  
Sawyer & Nelson, P.A.**  
100 Middle Street  
PO Box 9729  
Portland, ME 04104-5029

T (207) 774 - 1200  
F (207) 774 - 1127

Mary E. Costigan  
Shareholder  
207-228-7147 direct  
mcostigan@bernsteinshur.com

February 22, 2022

Town of Ogunquit Select Board  
23 School Street  
Ogunquit, ME 03907

Re: Proposed Revisions to Town of Ogunquit Charter

Dear Select Board Members:

At the request of the Ogunquit Charter Commission, and as required by 30-A M.R.S. § 2103(5)(D)(4), we have reviewed the proposed revisions to the Town of Ogunquit Charter dated February 15, 2022. Based upon our review and research, we are of the opinion that the proposed revisions do not contain any provision prohibited by the general laws of the State of Maine, the United States Constitution or the Constitution of Maine, as they presently exist.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary E. Costigan", with a circular embossed seal or stamp behind it.

Mary E. Costigan