

Ogunquit Select Board

January 4, 2022

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Heath R. Ouellette, Chair
Robert M. Whitelaw, Vice Chair
Richard A. Dolliver
Scott A. Vogel
Carole J. Aaron



**Ogunquit Select Board
January 4, 2022
Dunaway Community Center
23 School Street, Ogunquit, Maine**

This meeting is being held at the Dunaway Community Center. Members of the public may attend in person, watch on Town Hall Streams (https://townhallstreams.com/towns/ogunquit_maine) or participate remotely via Zoom using the link below.

Connecting by computer or mobile device: Register in advance or at the time of the meeting:
https://ogunquitpd-org.zoom.us/webinar/register/WN_KeqPns1IQkuTDU5fmy5auQ

After registering, you will receive a confirmation e-mail with information to join the meeting.

Connecting by land line/telephone: If you want to call in to the meeting, dial:1-312-626-6799 or 1-929-436-2866
Webinar ID: 816 0835 9304
Password: 641577

Minutes

5:00 pm Executive Session

Select Board members present:

Heath R. Ouellette, Chair
Robert M. Whitelaw, Vice Chair
Carole J. Aaron
Scott A. Vogel (via Zoom)

Select Board member absent:

Richard A. Dolliver

Town staff:

Matthew Buttrick, Town Manager
Mary Costigan, Town Attorney

- *1.0** The Select Board plans to go into Executive Session pursuant to Maine law Title 1 M.R.S.A 405.6(E) to meet with the town attorney to discuss legal duties and responsibilities.

This meeting will be broadcast live on WOGT (Channel 3), live streamed on the Town website www.townhallstreams.com/towns/ogunquit_maine and recorded for viewing on WOGT and the Town web site.

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- *1.1** The Select Board will meet in Executive Session pursuant to Maine law Title 1 M.R.S.A. §405.6(A) for the purpose of deliberating and considering the employment of a Code Enforcement Officer, which will include meeting with the final candidate for the position.

Motion: Select Member Vogel made a motion to go into Executive Session pursuant to Maine law Title 1 M.R.S.A 405.6(E) to meet with the town attorney to discuss legal duties and responsibilities and pursuant to Maine Law Title 1 M.R.S.A.§405.6(A) for the purpose of deliberating and considering the employment of a Code Enforcement Officer, which will include meeting with the final candidate for the position. Motion seconded by Select Member Aaron.

Motion passed 4:0.

*Please note that while this meeting will be held in person and on Zoom and will be accessible to the public and broadcast on Town Hall Streams, Ch 3 and Facebook **the Executive Session itself will not be broadcast.***

6:00 pm Select Board Meeting

***1.0 Welcome and Call to Order**

The meeting was called to order at 6:04 pm.

***1.1 Roll Call**

Members present: Heath R. Ouellette, Chair
Robert A. Whitelaw, Vice Chair
Carole J. Aaron
Scott A. Vogel (via Zoom)

Member absent: Richard M. Dolliver (excused by Motion after 6.1)

Staff present: Matthew Buttrick, Interim Town Manager

Motion 1.1 Select Member Whitelaw made a motion to come out of Executive Session. Motion seconded by Select Member Aaron.
Motion passed 4:0.

Chair Ouellette read a statement about the year ahead.

***1.2 Pledge of Allegiance**

Chair Ouellette expressed condolences to Peter Kahn on the loss of his wife, Linda, in 2021.

2.0 Presentations, Proclamations, Resolutions & Communications

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2.1 Update on Local Covid-19 Status – Erich Fogg

Dr. Fogg spoke about the following:

- York Hospital is experiencing an uptick in activity, including boarding patients in the Emergency Department, and diverting EMS traffic to other local hospitals.
- York Hospital is also seeing an uptick in outpatient urgent care (record volume).
- Drive-thru COVID site has experienced volume not seen since last summer.
- Four COVID-19 inpatients, all unvaccinated.
- Positivity rate for those tested is about 17%, the state reported 13%.
- Omicron is here in Maine.
- Staff that has been impacted by COVID-19. Demand is up while staffing is strained and they have made a request to receive some National Guard help.

Comments/questions:

- Mr. Whitelaw
- Mr. Vogel
- Chair Ouellette
- Pam Sawyer

3.0 **Finance Report - Town Treasurer**

Mandy Cummings presented the following:

- Non seasonal departments should have spent about 50% of their budget (54% spent)
- Watching utilities budget (a bit high)
- Watching cash flow due to lower revenues during this time of year
- The Select Board should consider moving tax due dates to October and April
- Working on annual close-out and bond issuing
- Road projects ongoing and parking meters for the spring

Comments/questions:

- Chair Ouellette

4.0 **Consent Agenda**

*4.1 Approve Draft Meeting Minutes – 12/7/2021 and 12/14/2021

*4.2 Approve Payroll Warrant – 12/16/2021, 12/22/2021 and 12/29/2021

*4.3 Approve Accounts Payable Warrant – 01/04/2022

*4.4 Approve Bid for 2022 Ford F-350 with Fisher Stainless HDX 9' Plow to Yankee Ford

*4.5 Appoint the following candidates to the Comprehensive Plan Committee per the Comprehensive Plan Committee Bylaws:

George Cundiff (Conservation Commission)

Leslie Olear (Conservation Commission)

Alice Pearce (Chamber of Commerce)

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Comments/Questions:

- Chair Ouellette

Motion 4.0 Select Member Aaron made a motion to approve the Consent Agenda. Motion seconded by Select Member Vogel.

Motion passed 4:0.

*4.6 Approve letter of support for the Ogunquit Sewer District Charter Revision

5.0 Public Hearing and Select Board Vote

5.1 The Select Board to Approve Expenditures in the Amount of \$10,600.00 from the Bridge Repair and Maintenance Account for the Purpose of Making the Necessary Safety Repairs to the Perkins Cove Bridge
Public Hearing started at 6:38 pm.

Comments/questions from the public: None

Public Hearing ended at 6:39 pm.

Comments/questions from the Select Board and Town employees:

- Mr. Whitelaw
- Mr. Buttrick

Motion 5.1 Select Member Aaron made a motion to Approve Expenditures in the Amount of \$10,600.00 from the Bridge Repair and Maintenance Account for the Purpose of Making the Necessary Safety Repairs to the Perkins Cove Bridge as described in the Select Board packet. Motion seconded by Select Member Whitelaw.

Motion passed 4:0.

5.2 Proposed 2022-2023 Budget to be Presented to the Voters for a Secret Ballot Vote at the Annual Town Meeting to be held on Tuesday, June 14, 2022
Public Hearing started at 6:39 pm.
Comments/questions from the public: None
Public Hearing ended at 6:40 pm.
Action on this item delayed until a joint meeting with the Budget Review Committee on January 18, 2022, beginning at 4:00pm. That meeting will also include a vote on the budget.

6.0 Town Manager's Report

Mr. Buttrick presented the following updates:

- Agamenticus Road Project is on hold for now.
- Captain Thomas Road is completed.
- River Road Project is ongoing.
- Working on Employee Handbook
- Rolling out Performance Management System for employees
- In union negotiations with Police and Fire Departments
- Forming a Safety Committee and looking for staff volunteers
- Begin union negotiations in February with Public Works and Administrative Services

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- In February/March, touching up job descriptions

6.1 Update on FEMA – Marginal Way

The originally approved projects totaling \$1.2 million has been reduced to \$335,354. FEMA removed some of the projects completely and will reimburse the cost to restore to pre-disaster conditions but not for future mitigation (make it better than it was). Other items FEMA included reimbursement amounts for labor. Mr. Buttrick said that the Town was not able to prove damage since there was no documentation about ongoing maintenance to the Marginal Way. The Town needs to decide how to move forward, including an appeal which would take over a year. There is about \$600,000 of FEMA money in the Town's bank account at this time and money would need to be returned.

Comments/Questions:

- Ms. Aaron
- Chair Ouellette
- Mr. Vogel
- Ms. Cummings
- Mr. Whitelaw
- Joan Griswold

Motion to excuse: Select Member Aaron made a motion to excuse Select Member Dolliver this evening. Motion seconded by Select Member Vogel.

Motion passed 4:0.

7.0 Unfinished Business

7.1 Accept FY 2021 Audit

Comments/questions : None

Motion 7.1 Select Member Whitelaw made a motion to accept the FY 2021 Audit. Motion seconded by Select Member Vogel.

Motion passed 4:0.

7.2 Update on Stearns Road One-Way System

Mr. Buttrick proposed the following longer-term plan:

- Work with Maine Local Roads who will assess the traffic situation and make recommendations
- Coordinate with the Sewer District Project and the Town's paving project
- Hire a surveyor to look at options for the turn near the lighthouse
- Put a sidewalk on Stearns Road

For the shorter term, extend the beginning of the one-way to April 1st (this would require a public hearing).

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Comments/questions:

- Ms. Aaron
- Chair Ouellette
- Todd Stuart
- Michael Sgambati

8.0 New Business

*8.1 Appoint new Code Enforcement Officer/Licensed Plumbing Inspector/Health Officer

Motion 8.1 Select Member Whitelaw made a motion to approve Tyler McOsker as the Town's new Code Enforcement Officer/Licensed Plumbing Inspector/Health. Motion seconded by Select Member Vogel.

Motion passed 4:0.

*8.2 Appoint up to 12 Members to the Comprehensive Plan Committee. Term to Expire January 30, 2025, or Upon Final Adoption of Comprehensive Plan by the Voters, Whichever Occurs Sooner.

Applicants:

Elaine Cooper (Planning Board)
Mark Dufton (Planning Board)
Mark MacLeod (Planning Board)
Steve Wilkos (Planning Board)
Priscilla Botsford
Sheldon Drucker
Peter Kahn
Charles LaFlamme
Gary Latulippe
Javier Marin
Robin Millward
Marsha Northrop
Patience Prescott-Sundaresan
Pamela Sawyer
Michael Sgambati

There is a question of how many Planning Board members are on the Committee (up to 2 was recommended by the Town Attorney).

Motion 8.2.1 Select Member Whitelaw made a motion to appoint Steve Wilkos to the Comprehensive Plan Committee. Motion seconded by Select Member Vogel.
Motion passed 4:0.

Motion 8.2.2 Select Member Vogel made a motion to appoint Mark Dufton to the Comprehensive Plan Committee. Motion seconded by Chair Ouellette for discussion. Discussion about choosing another individual and whether alternates are included in the Committee count.

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Motion was removed by Select members Vogel and Ouellette.

- Motion 8.2.3** Select Member Vogel made a motion to appoint Mark MacLeod to the Comprehensive Plan Committee. Motion seconded by Select Member Aaron.
Motion passed 4:0.
- Motion 8.2.4** Select Member Aaron made a motion to appoint Robin Millward to the Comprehensive Plan Committee. Motion seconded by Select Member Whitelaw.
Motion passed 4:0.
- Motion 8.2.5** Select Member Vogel made a motion to appoint Gary Latulippe to the Comprehensive Plan Committee. Motion seconded by Select Member Whitelaw.
Motion passed 4:0.
- Motion 8.2.6** Select Member Whitelaw made a motion to appoint Pamela Sawyer to the Comprehensive Plan Committee. Motion seconded by Select Member Vogel.
Motion passed 4:0.
- Motion 8.2.7** Chair Ouellette made a motion to appoint Priscilla Botsford to the Comprehensive Plan Committee. Motion seconded by Select Member Vogel.
Motion passed 4:0.
- Motion 8.2.8** Select Member Vogel made a motion to appoint Mark MacLeod to the Comprehensive Plan Committee. Motion seconded by Select Member Aaron.
Motion passed 4:0.
- Motion 8.2.9** Select Member Aaron made a motion to appoint Michael Sgambati to the Comprehensive Plan Committee. Motion seconded by Chair Ouellette.
Motion passed 4:0.
- Motion 8.2.10** Select Member Vogel made a motion to appoint Javier Marin to the Comprehensive Plan Committee. Motion seconded by Select Member Whitelaw.
Motion passed 4:0.
- Motion 8.2.11** Select Member Whitelaw made a motion to appoint Charles LaFlamme to the Comprehensive Plan Committee. Motion seconded by Select Member Vogel.
Motion passed 4:0.
- Motion 8.2.12** Chair Ouellette made a motion to appoint Marsha Northrop to the Comprehensive Plan Committee. Motion seconded by Select Member Aaron.
Motion passed 4:0.
- Motion 8.2.13** Select Member Aaron made a motion to appoint Sheldon Drucker to the Comprehensive Plan Committee. Motion seconded by Select Member Vogel.
Motion passed 4:0.

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8.3 Review Draft of New Employee Handbook

Overview by Mr. Buttrick:

- Brings everything in line with Federal and State law
- Sunsets current personnel rules
- Decreases the amount of leave that non-union employees can accrue (from 800 hours to 600 hours)
- PTO buyout rules now the same across the board (union and non-union)
- Insurance buyout option now available to non-union employees
- Increase leave accruals for non-union employees so that they are closer to what union members accrue
- Recognize Juneteenth as a holiday

Comments/questions:

- Chair Ouellette
- Ms. Aaron
- Mr. Whitelaw
- Mr. Vogel

8.4 Review Questions from Context Architecture for Boards and Committees

Chair Ouellette indicated that the questions were more directed to the Boards and Committees. Mr. Buttrick said the questions might need to be tweaked for Boards and Committees.

Comments/questions:

- Ms. Aaron
- Mr. Whitelaw

8.5 Review COVID-19 Vaccination, Testing and Face Covering Policy – Matthew Buttrick, Town Manager

Mr. Buttrick presented the following highlights:

- Employees and volunteers (except those who attend meetings remote only) need to provide proof of vaccination status.
- Unvaccinated employees will be subject to a weekly testing requirement (PCR test on the employees own time and at the employee's expense). The employee will provide a copy of the results every 7 days to human resources. Failure to do so will result in the employee not being able to come to work and they will need to use PTO time to get paid and possible disciplinary action. Masks must be worn at all times while at work with few exceptions (e.g., when eating, alone in office, alone in vehicle).
- Town will pay up to 4 hours of time to get the vaccine and up to two days of paid time if there is a reaction to the vaccine (i.e., side effects).

Comments/questions:

- Chair Ouellette
- Mr. Whitelaw

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- Ms. Aaron
- Mr. Vogel
- Muriel Freedman

Motion 8.5 Select Member Aaron made a motion to approve COVID-19 Vaccination, Testing and Face Covering Policy. Motion seconded by Chair Ouellette.

Motion passed 4:0.

9.0 Select Board Updates

9.1 Unanswered Questions from Prior Meeting
None.

*9.2 Committee Liaison Updates

Select Board member	Committee	Report
Whitelaw	Sustainability	Host a workshop with Acorn on erosion control measures. The meeting will be held on January 18 th .
	Performing Arts	Robert Mitchum month for movies.
Vogel	Budget Review	Next meeting with Select Board upcoming on January 18 th to vote on the budget.
	Planning Board	Upcoming workshops on January 10 th about tiny homes and January 24 th about the Zoning Ordinance (Stormwater development and erosion control).
Aaron	Parks & Recreation	Put together a survey about Agamenticus Park via Survey Monkey.
Ouellette	Age Friendly	Still looking for members as there is no quorum.
	Facilities and Space Needs	Meeting on January 20 th at 9 am and 6 pm to talk about the vision for the Ogunquit Village School and Dunaway Center.

10.0 Public Comments

The Select Board welcomes the public to comment and ask questions about Town related matters, and any items on the agenda including license renewals during public comment. Questions are not always answered immediately; the Select Board has agreed to answer questions by the next regularly scheduled meeting whenever possible. We ask that people keep comments brief and to the point (no more than three minutes and one time per meeting, except when public comment is solicited on specific agenda items), as well as that your comments be respectful of the community we aspire. We also ask that if you have a complaint or concern, it would be most helpful if you also offer a solution

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or solutions. Please begin your comments by stating your name and your affiliation with Ogunquit (i.e., resident, taxpayer, voter, business owner, etc.) or state the Town you are from.

Comments/questions: None

***11.0 Select Board Comments**

Comments/questions:

- Ms. Aaron
- Mr. Vogel

***12.0 Adjourn**

Motion 12.0 Select Member Vogel made a motion to adjourn. Motion seconded by Select Member Whitelaw.

Motion passed 4:0.

The meeting was adjourned at 8:58 pm.

***Agenda items with an (*) indicate when public input is not planned for that specific item**

Respectfully submitted,



Ilene Kanoff, Recording Secretary