

Ogunquit Select Board  
March 1, 2022  
Page 1 of 8

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



**Ogunquit Select Board**  
**March 1, 2022**  
**6:00pm – Meeting**  
**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](https://townhallstreams.com/towns/ogunquit_maine)), or participate remotely via Zoom using the link the 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](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

**6:00pm MEETING**

**1.0 WELCOME AND CALL TO ORDER**

\*1.1 Roll Call

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

Town Staff Members present: Matt Buttrick, Town Manager

\*1.2 Pledge of Allegiance

\*1.3 Duties of the Select Board according to the Ogunquit Town Charter – Article III

Select Member Whitelaw read the duties of the Select Board:

The duty of the Select Board is to execute the will of the people, to manage Town affairs, to protect and maintain the assets of the Town and to provide leadership and oversight on issues of importance to the Town.

Ogunquit Select Board  
March 1, 2022  
Page 2 of 8

**2.0**      **FINANCE REPORT**, Mandy Cummings, Treasurer

Treasurer to update the community and the Select Board on the revenues and expenditures for the Town.

Treasurer Cummings said we are within the threshold expected at this time of year. As of now we are in the lowest cash point of the year, but second half reminders have been sent out for tax payments and the early Spring parking season will be beginning soon.

Treasurer Cummings took this opportunity to answer a question from the previous Board meeting related to the appropriate use of the reserve account. It was asked also if there is a minimum threshold for a reserve account and what the auditor's opinion may be. Treasurer Cummings said the Town's auditor finds this an acceptable use. The Treasurer further explained it has been decided to have public hearings when money is needed from a reserve account so taxpayers are aware where their money is going. This also makes tax payers aware of a situation should the Town need to further repair a Town item or need to purchase a new vehicle, it won't come as a shock to taxpayers. It is better to budget and put a certain amount of dollars into reserve accounts every year to deal with emergencies. Debt service cannot be cut, so if there are no reserves available, the Town won't have anywhere to go to deal with an emergency situation.

Next the Treasurer commented that one opinion is that the FY23 budget is tripling our debt load. She explained why this is not the case and asked that people contact her with questions or go to the budget on the Financial Transparency page.

Chair Ouellette emphasized the importance of being transparent for the taxpayers.

Mr. Peter Kahn thanked the Treasurer for her explanation.

**3.0**      **CONSENT AGENDA**

- \*3.1      Approve Payroll Warrants
  - a.      February 17, 2022
  - b.      February 24, 2022
- \*3.2      Approve Accounts Payable Warrant
  - a.      March 1, 2022
- \*3.3      Approve Remote Participation Policies
  - a.      Conservation Commission-2022 Remote Participation Policy
- \*3.4      Finance Agreement
  - a.      2022 Electric Nissan Leaf Vehicle
- \*3.5      Policies
  - a.      Ratify the Town of Ogunquit Remote Work Policy
  - b.      Ratify the Town of Ogunquit Epidemic and/or Pandemic Policy
- \*3.6      Approve Liquor Licenses – Renewal
  - a.      The Maine Catch – Malt, Spiritous & Vinous
- \*3.7      Outdoor Sales
  - a.      Receipt of Planning Board letter on Outdoor Sales

Ogunquit Select Board  
March 1, 2022  
Page 3 of 8

**MOTION:** Select Member Dolliver made a motion to approve the Consent Agenda items 3.1 through 3.7. excluding item 3.4a. Motion seconded by Select Member Vogel.

**Motion passed 5:0**

*Note Item 3.4a is discussed under Unfinished Business*

**4.0 PUBLIC HEARING AND SELECT BOARD VOTE**

**5.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS**

- 5.1 Historical Society of Wells & Ogunquit – Bryce Waldrop, Executive Director  
a. Historical Society Update

Chair Ouellette explained that Bryce Waldrop was not able to make it at this time.

Select Member Dolliver made a motion to table agenda item 5.1. Motion seconded by Select Member Aaron.

**Motion passed 5:0.**

- 5.2 Charter Review Commission, William Sawyer, Charter Review Commission Chair  
a. Summary of significant changes  
b. Letter of Opinion from Town Attorney  
c. Minority Report from the Charter Review Commission  
d. Full text of the Revised Charter

Mr. Sawyer explained that all documents would be on the website between now and June 14, the date of the Town election. The Charter Review Commission (CRC) recommended with a vote of 6-3, the revised Charter be placed before the citizens of Ogunquit annual Town meeting on June 14, 2022 and if approved by the voters, it will replace the current Charter.

Based on the number of changes the Commission voted 6-3 that the entire document be placed on the Town warrant with an up or down vote, i.e. yes or no. Mr. Sawyer said there had been a lot of discussion around ethics. In the end there will be a written statement that states the Select Board has its own rule of ethics which should be maintained and kept up to date. There is a two-page summary of all the changes if people don't wish to read the 25 plus pages. Mr. Sawyer ran through the changes for the Board.

Chair Ouellette said the Charter would be put to vote at the next meeting to place it on the Town warrant.

The Board members were very appreciative of all the hard work done by the CRC. Several members were disappointed that the vote wasn't 9-0, but were still impressed with the level of compromise. Chair Ouellette commended also the Commission for their efforts garnering public input.

Ogunquit Select Board  
March 1, 2022  
Page 4 of 8

**6.0** **TOWN MANAGER REPORT**, Matthew Buttrick, Town Manager  
6.1 **Town Manager Report**

The Town Manager gave updates on the following:

- Bonaire celebrations.
- Pride Committee.
- New lighting between the Fire Department and Dunaway Center.
- DVDs about Ogunquit's history donated by Muriel and Jordan Freedman.
- Ogunquit's application to the United States Lifesaving Association has been submitted by Lifeguard Captain Russ Osgood.
- Trolley Service
  
- IT Infrastructure
- Contacting the Select Board and Town Manager anonymously via the Town's website.
- FEMA – Marginal Way

**7.0** **UNFINISHED BUSINESS**  
7.1 **Finance Agreement**, Matthew Buttrick, Town Manager  
a. LED Street Light Project

The Town Manager explained that Town Counsel had written a motion that included both the LED Street Light Project and the 2022 Electric Nissan Leaf Vehicle (item 3.4a).

**MOTION:** Select Member Whitelaw read the following motion:

Proposed vote Town of Ogunquit, Maine March 1, 2022 voted by the Select Board for the Town of Ogunquit, Maine as follows

1. That a Capital Acquisition Project (the "Project") consisting of the lease purchase of one 2022 electric Nissan Leaf vehicle with an amount financed of \$21,061.50 for a four year term with first payment in the amount of \$5,562.72 due at closing and LED street light project, along with associated equipment and accessories with an amount financed of \$196,748.00 for a six year term with a first payment due 12 months after closing in the amount of \$36,911.22, is hereby approved.
2. That the Lease with Municipal Leasing Consultants, LLC is hereby adopted; and

Ogunquit Select Board  
March 1, 2022  
Page 5 of 8

3. That the attached Exhibit E “Lessee Resolution” to the Lease is hereby adopted and the Chair of the Select Board is authorized to execute the same; and
4. That the Chair of the Select Board, the Town Manager, or Treasurer are both, separately authorized to execute the Lease with Municipal Leasing Consultants, LLC and all other documents reasonably necessary to accomplish the purpose of this vote, as the documents may require; and
5. That said Lease with Municipal Leasing Consultants is designated a “qualified tax-exempt obligation” of the Town for the 2022 calendar year pursuant to Section 265(b)(3) the Internal Revenue Code of 1986, as amended.

Seconded by Dolliver for discussion.

**Motion passed 5:0**

**8.0**     **NEW BUSINESS**

- 8.1     Annual Town Report, Matthew Buttrick, Town Manager  
a. Review and approve the draft of the 2020-2021 Annual Town Report

The Town Manager said that Tracey Cutler and Ilene Kanoff had worked very hard to put this report together and he thinks they have done a great job. The plan is to print fewer copies this year to reduce costs and make it available on-line. More copies can be printed if needed.

**MOTION:** Select Member Dolliver made a motion to approve the Annual Report.as presented to the Board in their packets with the following changes: to ensure the holidays of the Town align with our new policy and procedures personnel manual and the names of those born and passed away be added to the report. Motion seconded by Mr. Vogel.

**Motion passed 5:0**

**9.0**     **SELECT BOARD UPDATES**

- \*9.1     Prior Meeting Unanswered Questions  
Select Board will address any unanswered questions from the prior Meeting.

Chair Ouellette said there were questions about some security footage from the Dunaway Center which he wished to clarify for the public. A request was made to provide video of a certain day and time frame of video surveillance in front of the Dunaway Center. That was a Freedom of Access Act (FOAA) request so the Town was obligated to provide that information, which it did. There were questions about the purpose of the cameras. They were installed for safety reasons using COVID-19 money and approved by former Town Manager, Pat Finnegan.

Ogunquit Select Board

March 1, 2022

Page 6 of 8

\*9.2 Committee Liaison Updates

Select Board member	Committee	Report
Whitelaw	Sustainability	Presenting preliminary plan to save the estuary to the Board at the next meeting
	OPA	The film series star for March will star Myrna Loy
Aaron	OHPC	Still rebuilding and needs more members. Bylaws are being drafted. The Commission continues its good working relationship with the Planning Board. They are ready for another Select Board discussion for approval of the letter and survey to establish the Ogunquit Register of Distinctive Properties using a direct appeal to homeowners. The Commission discussed the digitalization of its many documents.
	Conservation	Still seeking new members. Drafting bylaws and trying to find their old website which had great information on it. Select Member Aaron would like a conversation around the watershed which currently falls under Sustainability.
Vogel	Planning Board	Looking at the Outdoor Sales Ordinance. The Board feels no changes need to be made at this time as outlined in a letter to the Select Board.
Ouellette	Facilities and Space Needs	Final touches are being made to the feasibility study.

\*9.3Select Board Priorities

- a. Town Meeting related items
- b. Outside sales
- c. Trolley
- d. Estuary
- e. Improving Town operations/policies
- f. Bonaire event to celebrate Ogunquit's 40<sup>th</sup> year anniversary
- g. Marginal Way
- h. Main Campus
- i. Improvements to Beach Street including sidewalks on both sides and beautification
- j. Perkins Cove
- k. Comprehensive Plan
- l. Review committees in Town and open seats
- m. Goal setting with Town Manager

Ogunquit Select Board  
March 1, 2022  
Page 7 of 8

Chair Ouellette said these are listed to keep members in the loop. He removed Outside Sales. He asked if any other priorities should be added. Select Members Aaron and Dolliver talked about discussing the number of committees and how some of them seem to overlap. Chair Ouellette said he would like to send a survey to committee members to get their feedback and then the Select Board could hold a workshop on the topic.

Chair Ouellette said that the subject of whether the current Ogunquit logo is still relevant or not has come to his attention. He learned from the CRC that what we think Ogunquit stands for “Beautiful Place by the Sea” isn’t what it stands for. Select Member Aaron said she feels it is time for Ogunquit to have a new branding.

**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 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:

Barbara Ferraro spoke about the video cameras.

Marjorie Katz talked about the cancelation of a meeting about American Rescue Plan funds and about the Beach missing from the list of priorities.

JP Argenti talked about the video camera and requests for video footage, and he feels having Select Board comments at the end of the meeting can be unfair to the residents.

**\*11.0 SELECT BOARD COMMENTS**

Select Member Dolliver talked about FOAA requests, and suggested looking at investing in a shark alert system. The Town Manager mentioned that going forward there will be a page on the new website which will show who requested what information. Both Select Members Aaron and Vogel enjoyed everybody being in person and like the format of inviting public comment throughout the meeting. Select Member Vogel applauded the increase in transparency of information and thanked everybody involved.

Select Member Whitelaw acknowledged the situation in Ukraine and how different it is here and how wonderful it is to be able to have the freedom to discuss even the difference in the meaning of a word. He repeated his praise for the Charter Review Commission.

Ogunquit Select Board  
March 1, 2022  
Page 8 of 8

Chair Ouellette said he wanted to thank all of the hard-working people in Town and that we have a lot to be grateful for. A decision was made to delay a get together for all those people because of COVID-19, but he hopes as the weather gets warmer, it will be able to go ahead.

**\*12.0 ADJOURN**

**MOTION:** Select Member Dolliver made a motion to adjourn at 7:53PM. Motion seconded by Select Member Vogel.

**Motion passed: 5-0**

**\*Agenda items with an asterisk (\*) indicate when public comment is *not* planned for that specific item. CONSENT AGENDA – Note: Public comment on the Consent Agenda will be taken at the start of the Consent Agenda.**

Respectfully submitted,

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Tracey Cutler, Recording Secretary