



Comprehensive Plan Committee

Meeting Minutes – March 9, 2022

1.0 Roll Call 5:00 pm

Members present: Mark MacLeod, Chair
Robin Millward, Vice Chair
Priscilla Botsford
George Cundiff
Sheldon Drucker
Charles LaFlamme
Javier Martin
Marsha Northrop
Leslie Olear
Alice Pearce
Pamela Sawyer
Michael Sgambati
Steve Wilcos

Members absent: Mark Dufton
Gary Latulippe

Also Present: Matthew Buttrick, Town Manager
Heath Ouellette, Select Board Liaison

Pledge of Allegiance

2.0 Minutes of previous meeting (February 23, 2022)

Motion 2.0: Motion by Leslie to approve the minutes of February 23, 2022 as written. Seconded by Robin.

Motion passed 13-0.

3.0 Unfinished business

3.1 Bylaws (NOTE: Items highlighted in blue are from Michael's document as shown in the attachment). The new By-Laws are also attached. There was a brief discussion about the importance of public input/engagement throughout the process.

[Section 1.2 as added by Michael](#). The Committee, by a show of hands, decided against placing "Robert's Rules of Order" as the new 1.2.

Discussion about 1.3 and the Town's Ethics Policy.

Motion 3.1.1: Motion by Pam to approve section 1.3 as amended in the attached By-Laws. Seconded by Sheldon.

Motion passed 12-1 (Michael, no).

See new section 1.3 in the attached By-Laws document.

Discussion about 1.5.

Motion 3.1.2: Motion made by Leslie to approve section 1.5 as amended in the attached By-Laws. Seconded by Michael.

Motion passed 13-0.

Discussion about 2.1.2 with Michael's suggestions about vacancies.

Motion 3.1.3: Motion made by Leslie to approve section 2.1.2 as amended in the attached By-Laws. Seconded by Alice.

Motion passed 13-0.

Discussion about adding 2.1.4 by Michael regarding unexcused absences and the proposed new Town Charter.

Motion 3.1.4: Motion made by Leslie to not include proposed language for [2.1.4](#). Seconded by Robin.

Motion passed 12-1 (Michael, no).

Discussion about changing the language in section [2.2.2](#) as proposed by Michael regarding the chair and subcommittees

Motion 3.1.5: Motion made by Michael to delete the second sentence of section 2.2.2 and move the added language to section 3.2. Seconded by Alice.

Motion passed 13-0.

Discussion about adding a sentence proposed by Michael in section [2.2.4](#) and specifying five (5) working days.

Motion 3.1.6: Motion made by George to approve section 2.2.4 as amended in the attached By-Laws.

Motion passed 13-0.

Discussion about defining majority as proposed by Michael in section [2.2.5](#).

Motion 3.1.7 made by Alice to leave the original language in section 2.2.5 as shown in the attached By-Laws. Seconded by Robin.

Motion passed 13-0.

Discussion about serving for one (1) year in section 2.3.2

Motion 3.1.8 made by Pam to leave the language as is as shown in the attached By-Laws. Seconded by Charlie.

Motion passed 13-0.

Discussion about meeting dates and times as well as the length of meetings.

Motion 3.1.9 made by Leslie to amend the original language in section 3.1 as shown in the attached By-Laws. Seconded by Alice.

Motion passed 13-0.

Discussion on proposed changes to section 3.1.3 as proposed by Michael.

There was general agreement of the Committee members that having regular public input is important.

Motion 3.1.10 made by Michael to change the language in section 3.1.3 to read "The Agenda of the meeting should support effective management of the Committee's work and executing its mission. Given the importance of public input, we will work to include public comment at the beginning of each meeting, during any issue we will be taking a vote on, and at any time a member requests public input to be heard.

Motion failed 3-11 (Robin, Leslie, Mark, Alice, Sheldon, Pam, Steve, Priscilla, Charlie, Javier, no)

There was more discussion on the language for this section.

Motion 3.1.11 made by Robin to amend the original language in section 3.1.3 as shown in the attached By-Laws. Seconded by Alice.

Motion passed 13-0.

The Committee members made corrections to sections 3.1.6 and 3.1.7 to show that a quorum is now eight (8) members and changed the title of section 3.2 to "Workshop and Subcommittee Sessions."

As discussed previously, the language from Michael's changes to section 2.2.2 starting with "If we choose ..." was added as new section 3.2.3.

The Committee changed references in 5.4 and 5.5 from "Committee" to "Board."

Motion 3.1.12 made by Alice to amend the original language in section 5.2 as shown in the attached By-Laws. Seconded by Leslie.

Motion passed 13-0.

Motion 3.1.13 made by George to approve all changes to the By-Laws. Seconded by Robin.

Motion passed 13-0.

3.2 Mission statement

This item was tabled until the next meeting so that the Committee members could have a chance to read them ahead of time.

4.0 New business

4.1 Comprehensive Plan Committee Top Priorities

4.2 Ideas for facilitators

- Reviewed suggestions submitted to Mark as requested during the last meeting.
- Talked about the need to get these ideas to the Town Manager so that an RFP could be written.
- Mentioned that the current budget is just under \$50,000.
- Mark mentioned that the facilitator would mostly be focused on helping organize meetings and discussions as well as provide expert guidance.
- Mentioned other Towns going through this process, including York and Yarmouth.
- Talked about the RFP being for one year.

4.3 Posting on Town website page

- Survey posted on the Town's website for members to review.
- Maine State Checklist is on the Town's website.

5.0 Other business

5.1 Next steps

- Discussion about the Secretary and the workload.

6.0 Public Input

6.1 We ask that people keep comments brief and to the point (no more than three minutes). 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.

Public comments: Peter Kahn

7.0 Adjourn

Motion to adjourn made by George, seconded by Leslie.

Meeting was adjourned at 6:55 pm.

Respectfully submitted,

Ilene Kanoff, Recording Secretary

**TOWN OF OGUNQUIT
COMPREHENSIVE PLAN COMMITTEE 2022
BY-LAWS**

Michael Sgambati suggested changes in color

I. INTRODUCTION

1.1 Business of the Committee shall be conducted in accordance with Maine Amended Statutes Annotated, Town Ordinance, and the Town Charter.

~~1.1.2~~ The rules contained in “Robert’s Rules of Order” shall govern our committee in all cases to which they are applicable and in which they are not inconsistent with these bylaws and/or any special rules of order we may adopt.

~~1.2.3~~ In the event a member has a possible Conflict of Interest, the committee shall hear from that member and then decide via vote on their ability to participate on a motion or relevant discussion. The Committee pledges to maintain professional conduct in the development of a new Comprehensive Plan. All proposals shall be examined equally and equitably. If for any reason an individual Committee Member feels that he or she has a conflict of interest, the Member shall declare that interest.

~~1.3.4~~ Comprehensive Plan Committee Members are expected to be knowledgeable of laws, ordinances, regulations, and Committee policies, and the Town Charter and to abide by them.

1.5 The Committee will be guided by the Comprehensive Plan Committee letter, approved by the Select Board on 12/15/2020 which established this committee, ~~and its mission.~~ *(we will establish our mission)*

1.6 *Each member will have the right to be heard on any agenda topic. However, given the size of our committee we will look to use the raise your hand feature in zoom if we have greater than 10 members using the zoom feature. Otherwise members can request to be heard by speaking up during an agenda item.*

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~~1.41.7~~ Any member can have an item be added to the agenda for the next/ subsequent meeting. (how can we or should we look to write this write this in?)

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II. **MEMBERSHIP**

2.1 **Conditions of Membership**

2.1.1 Appointment of Members and Alternate Members shall be conducted pursuant to section 801 of the Town Charter.

2.1.2 The filling of vacancies shall be governed by Section 801 of the Town Charter. If a vacancy occurs, the Chair will notify the Select Board within 48 hours of receiving the resignation and ask for notice to be given to the public and also shared during the next select board meeting. We request that all vacancies be filled within 30 days of notifying the select board as per our town Charter.

2.1.3 A vote of the Comprehensive Plan Committee quorum may advise the Select Board of any reasons apparently requiring that a Comprehensive Plan Committee Member be required to forfeit their membership, pursuant to section 803 of the Town Charter. (only those in section 803 - let's make this clear that it can't be items other than what is contained- within the charter section 803?)

2.1.4 If any committee member has more than 3 unexcused absences they will automatically forfeit their membership on the committee. An unexcused absence is one whereby appropriate 24 hour notice is not given to the Chair (via email or phone) of a members inability to attend a meeting. In the case of emergency, the chair may decide in their discretion to grant an excused absence.

2.2 Officers and Their Duties

2.2.1 The officers of the Comprehensive Plan Committee shall consist of the Chair, Vice-Chair, and Secretary. The officers shall be full Members of the Committee. The Secretary may be a full Committee Member or an employee of the Town. The Minutes of Meetings and all writings required to be made by the Committee shall be kept by the Secretary.

2.2.2 The Chair shall preside at all Meetings and hearings of the Comprehensive Plan Committee. ~~The Chair has the authority to appoint all sub-committees, with the approval of the Committee, and to call all work sessions.~~

If we choose to establish a subcommittee(s), the expectation would be that those with particular experience or expertise would volunteer to be on/lead said subcommittee. The overall committee should vote to confirm such a subcommittee and its members.

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2.2.3 The Vice-Chair shall act for the Chair their absence.

2.2.4 The Secretary shall be responsible for the Minutes and records of the Committee, provide notice of the Meetings to the Committee Members, arrange proper and legal notice of hearings, attend to correspondence of the Committee and such other duties as carried out by a secretary. The Secretary shall keep a record of all resolutions, transactions, correspondence, attendance, findings, and determinations of the Committee. All meeting materials will be delivered to members 5 days in advance of any upcoming meeting All records shall be available to the public.

2.2.5 Officers can, for cause, be removed and/or replaced by a majority vote of the Committee which is 8 members. The election of the new officer or officers shall take place immediately.

2.3 Election of Officers

- 2.3.1 Nominations of officers shall be made from among the full Members of the Committee at its organizational meeting which shall be held at the Comprehensive Plan Committee Meeting immediately following the Select Board's appointment/reappointment of Comprehensive Plan Committee Members.
- 2.3.2 A candidate receiving a majority vote of the full Members of the Comprehensive Plan Committee shall be declared elected and shall serve for one (1) year.
- 2.3.3 Vacancies of officers shall be filled immediately by regular election procedures.

III. MEETING ORGANIZATION

3.1 Regular Meeting

- 3.1.1 Meetings may be held on the (1st and 3rd Wednesday of every month) beginning AprilFebruary, 2022 at 5PM and should last no more than 2 hours~~the time specified on the Town calendar or when designated by the Committee.~~ The standard Meeting place shall be at the Dunaway Center and-or via Zoom. If working subcommittees are established then the committee may decide to meet once a month
- 3.1.2 All Meetings shall be open to the public.
- 3.1.3 The Agenda of the meeting should support effective management of the Committee's work in executing its mission Given the importance of public input we will work to include public comment at the beginning of each meeting, during any

issues we will be taking a vote on, and at any time a member requests public input be heard. (we can change this if this gets out of hand but I propose we go out of our way to include the public from the onset and pull it back if necessary) and provide appropriate opportunity for public input, which will include, input prior to any vote and regular public hearings.

- 3.1.4 The Committee may change the order of business upon a majority vote of the Committee.
- 3.1.5 Agendas must be posted in the Municipal Office, the Ogunquit Post Office, the Town's Website (www.townofogunquit.org), and WOGT no later than the Thursday of the week preceding the Meeting.
- 3.1.6 A quorum shall consist of seven (7) Members and be necessary to hold a meeting.
- 3.1.7 In no case can a Motion carry without a quorum of 7 members and must consist of one more than half of those in attendance at least seven (half of the members attending the meeting?7) Members voting in its favor.

3.2 **Workshop Sessions**

- 3.2.1 The Chair may, with approval of a majority, call special workshops to examine specific articles of the Comprehensive Plan, Comprehensive Plan Committee By-Laws, and other items as necessary. A quorum must be present to conduct any workshop business.
- 3.2.2 These sessions shall be open to the public. Public input will not be solicited by the Committee with the following exceptions:
 - 3.2.2.1 Any officials, citizens, etc., who have been specifically requested by the Committee to have input to that Meeting may do so.

3.2.2.2. Input from interested citizens shall be reserved for a time designated within the regular Meetings of the Comprehensive Plan Committee or for a specific time designated by the Comprehensive Plan Committee, or at the discretion of the Chair.

IV. **BY-LAWS AMENDMENTS**

- 4.1 These By-Laws may be amended by a quorum +1 Member vote of the entire Membership of the Comprehensive Plan Committee.
- 4.2 The invalidity of any section or provision of these By-Laws shall not be held to invalidate any other section or provision of these By-Laws.
- 4.3 Any prior inconsistent provision or portion of the Comprehensive Plan Committee By-Laws of the Town of Ogunquit, as amended, is hereby saved and remains in effect in the event that all or any portion of these By-Laws is found to be unlawful by a court of competent jurisdiction.

V. **PROGRESS OF THE COMMITTEE**

- 5.1 The progress of the Committee shall be communicated to the Select Board at appropriate intervals by an officer of the Committee.
- 5.2 The Committee will hold **regular** public hearings **and** whenever a recommended revision of a Plan article is ready to be finalized. Drafts of revised articles shall be posted on the Town website prior to public hearings.
- 5.3 The Committee will vote on each proposal for a revised or added article of the Plan and notify the Select Committee at the regular update.
- 5.4 The final vote to submit a completed revision of the Comprehensive Plan to the Select Committee for submission to the Residents of

Ogunquit for final approval will be held after two (2) public hearings. The Committee may choose to make further revisions to the Plan after those public hearings.

- 5.5 The Comprehensive Plan Committee will remain in place until the revised Plan is approved by the Residents. If the revised Plan is rejected, the Committee will meet with the Select Board to determine the future status of the Committee.

ADOPTED BY THE COMPREHENSIVE PLAN COMMITTEE OF OGUNQUIT BY A VOTE OF () TO () ON XX/XX/2022.

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TOWN OF OGUNQUIT
COMPREHENSIVE PLAN COMMITTEE 2022
BY-LAWS

I. INTRODUCTION

- 1.1 Business of the Committee shall be conducted in accordance with Maine Amended Statutes Annotated, Town Ordinance, and the Town Charter.
- 1.2 The Committee pledges to maintain professional conduct in the development of a new Comprehensive Plan. All proposals shall be examined equally and equitably. If for any reason an individual Committee Member feels that he or she has a conflict of interest, the Member shall declare that interest.
- 1.3 Comprehensive Plan Committee Members are expected to be knowledgeable of laws, ordinances, regulations, Committee policies, the Comprehensive Plan Committee Ethics Policy and the Town Charter and to abide by them.
- 1.4 The Committee will be guided by the Comprehensive Plan Committee letter, approved by the Select Board on 12/15/2020 which established this committee, and its mission.
- 1.5 Each Member will have the right to be heard on any agenda topic and any member can have an item added to the next or subsequent meeting.

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members five (5) working days in advance of any upcoming meeting. All records shall be available to the public.

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ADOPTED BY THE COMPREHENSIVE PLAN COMMITTEE OF OGUNQUIT BY A UNANIMOUS VOTE OF 13 MEMBERS ON MARCH 9, 2022.

