

Ogunquit Select Board  
April 19, 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  
April 19, 2022  
6:00 pm – 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 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 landline/telephone:**  
If you want to call into the meeting, dial:1-312-626-6799 or 1-929-436-2866  
**Webinar ID: 816 0835 9304**  
**Password: 641577**

## Minutes

**6:00 pm    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 Vogel (arrived at 6:08pm)  
   Carole J. Aaron

Town Staff Members Present:        Matt Buttrick, Town Manager  
   Mandy Cummings, Town Treasurer

\*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.

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**2.0**        **FINANCE REPORT**, Mandy Cumming, Treasurer

2.1        Treasurer Update

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

The Treasurer said at this time of year it was expected that 75% of the budget is spent. As of today, 78% has been spent. Workers compensation insurance and utilities have been the two main drivers along with the added costs of supply chain issues. When it comes to projects, she encourages caution as short falls in the budget are a way to set a project up for failure. She gave examples of projects where caution is being applied such as Facilities and Space Needs and the Culture and Recreation Director position. Any unused funds get applied to the unassigned fund balance which means there is a better place to start the budget for the following year.

Revenues are a little lower at the moment, but are beginning to ramp up. The Town didn't make as much money as usual for clam or marriage licenses. Revenues are expected to increase once residents come back home to Ogunquit,

Select Member Whitelaw questioned 148% for bath houses. Ms. Cummings explained that it is probably the way the Public Works Director has restructured his budget so overall the true figure is 51.63%. Next Member Whitelaw asked how we predict auto excise taxes. The Treasurer said it is very difficult and she looks at trends to help her.

2.2        Approve Financial Audit 2022-2024

- a.        Accept proposal for the audit of the Town's Financial Statements for the years ending June 30, 2022, through June 30, 2024 – RHR Smith & Company, Buxton, Maine

The Treasurer said only one bid was received which was from the current auditors so it was decided to rebid and she contacted about a dozen companies. In the end the Treasurer and Town Manager decided on staying with RHR Smith & Company.

**MOTION:** Select Member Aaron made a motion to approve RHR Smith & Company as our auditor for the Town's Financial Statements for the years ending June 30, 2022, through June 30, 2023. Motion seconded by Select Member Dolliver.

**Motion passed 5:0**

**3.0**        **CONSENT AGENDA**

- \*3.1        Approve Draft Minutes
  - a.        March 15, 2022 (tabled from March 29, 2022 Meeting)
  - b.        March 29, 2022
- \*3.2        Approve Payroll Warrants
  - a.        March 31, 2022
  - b.        April 7, 2022
  - c.        April 14, 2022
- \*3.3        Approve Accounts Payable Warrant
  - a.        April 19, 2022

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- \*3.4 Approve By-Laws
  - a. Historic Preservation Commission – By-Laws, adopted by Committee on March 23, 2022
- \*3.5 Committee Appointment
  - a. Appoint Leslie Olear – Planning Board – 1<sup>st</sup> Alternate Member, term to expire June 30, 2022 (Note: As a result of this appointment Ms. Olear will no longer be a member of the Conservation Commission)
- \*3.6 Approve Liquor Licenses – Renewal
  - a. Bonissoni Brazilian Steak House, Inc. – Malt, Wine, and Spirits
  - b. Caffe Prego, LLC – Malt, Wine, and Spirits
  - c. Colonial Inn Operations, LLC – Malt, Wine, and Spirits
  - d. The Front Yard Restaurant – Malt, Wine, and Spirits
  - e. LaPizzeria – Malt, Wine, and Spirits
- \*3.7 Approve Liquor Licenses – New
  - a. Egg & I Waffle and Pancake House – Wine and Spirits
- \*3.8 Approve Amusement Licenses – Renewal
  - a. Caffe Prego, LLC

**MOTION:** Select Member Aaron made a motion to approve the Consent Agenda items 3.1 through 3.8. Motion seconded by Chair Ouellette.

**Motion passed: 4:0 and 1 abstention**

**4.0 PUBLIC HEARING AND SELECT BOARD VOTE**

- 4.1 Annual Town Meeting – June 14, 2022
  - a. Warrant and Order for Annual Town Meeting – June 14, 2022

Public Comments:

Peter Kahn, resident, asked the Board to remind new Board, Committee and Commission members that they may not influence members of the public how to vote.

Sean Fahy, police employee stressed the structural issues with the Town’s Police Department particularly around security.

- b. Municipal Officers Certification of Official Text on Proposed Ordinances for the June 14, 2022, Annual Town Meeting

Select Member Dolliver recalls past Select Board members speaking in favor of candidates running for office. He inquired at the time if this was allowed and was told that while it is inappropriate, it is legal. Select Member Whitelaw added that it is not appropriate to use Town funds to promote somebody, but it is legal for Board members to exercise their first amendment rights.

**MOTION:** Select Member Dolliver made a motion to approve the Warrant and Order for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 14, 2022. Motion seconded by Select Member Whitelaw.

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**Motion passed 5:0.**

**MOTION:** Select Member Dolliver made a motion to approve the Official Text on the Proposed Ordinance Amendments for the Annual Town Meeting – Candidate/Referendum Election scheduled for June 14, 2022. Motion seconded by Select Member Whitelaw.

**Motion passed 5:0.**

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

- 5.1 Comprehensive Plan Committee, Mark MacLeod, Chair  
a. Update on the Comprehensive Plan Committee

Mr. MacLeod shared that to date the Committee has its mission statement, they have put together a survey they would like to send out to homeowners, and they are studying previous actions from the current 2004 Comprehensive Plan. Five sub committees have been formed to address specific areas; Natural Resources, Community, Ordinances, Public Safety and Administration. The next step will be to create a vision meeting when the public will be invited for their input. 2022 will be used for gathering data and 2023 will be used to draft the plan so it will be put before the public at the June 2024 Town meeting. This timeline is based on the previous plan as well as other Towns.

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

The Town Manager invited Alice Pearce from the Chamber to talk about Splash into Spring. She reminded everybody of the events taking place and said they are also listed on the Chamber's website.

Mr. Buttrick updated the Board on the following:

- Site walk-through for the RFP for the Perkins Cove Bridge
- Bids for the Comprehensive Plan RFP are due on Friday, April 22<sup>nd</sup>
- Work on Agamenticus Road is continuing and should be completely finished by the end of April.
- River Road will be finished at the end of April and will require a brief road closure
- The Main Beach lot area that was torn up, has now been repaved and lines will be painted shortly
- Parking for Main Beach opened this weekend and the new parking app was implemented
- Public Works have been cleaning up after Winter and installing the beach ramps
- All public bathrooms are now open
- The Chief of Police is retiring on April 28, 2022 and interviews will take place during April 27 and 28, 2022.
- The Parks and Rec Committee has expressed that they have reached their band width and he is hopeful that the warrant article for a new Director position will be passed at the upcoming Annual Town meeting.
- Mr. Buttrick supported Mr. Fahy's opinion for better facilities not just for the Police Department, but for all departments
- Water quality is being worked on at a local level and one of those things is the creation of a new position for a Natural Resources Coordinator which is also on the ballot.
- The Easter Egg Hunt hosted by the Police Department was a great success.
- The Marginal Way has been added to the National Register of Historic Places and shows what can be done by a volunteer committee.

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- The Fire Department will be holding a vaccination clinic on Thursday, April 21<sup>st</sup>.
- The Transfer Station is moving to a cashless payment system with effect May 23<sup>rd</sup>, 2022.
- Transfer Station is also working with the State on a pilot program for organic composting.

Board Members gave their support for the new positions. Chair Ouellette thanked the Public Works department for all their hard work keeping Ogunquit beautiful.

**7.0 UNFINISHED BUSINESS**

There was no unfinished business.

**8.0 NEW BUSINESS**

Chair Ouellette asked his fellow Board members if he could add a point of discussion concerning Board and Committee Member resignations. The Board members agreed.

Chair Ouellette explained that there had been a few Board resignations recently which were then rescinded. After checking with the Town Attorney, no action is required as the Board never accepted the resignations formally with a motion so those members were able to continue serving.

Chair Ouellette said this raises the issue of accepting resignations going forward and he asked if a motion could be made to approve any or all resignations that have come in since last year that haven't yet been approved by the Select Board.

Select Member Aaron asked how the Board should deal with a member wishing to rescind their resignation. Chair Ouellette said they would have to re-apply for membership.

Select Member Dolliver made a motion to accept all resignations for Board, Committee, and Commission members that have been submitted to the Town, and not yet accepted. Motion seconded by Select Member Vogel.

**Motion passed: 5:0.**

**9.0 SELECT BOARD UPDATES**

\*9.1 Prior Meeting Unanswered Questions

There were no unanswered questions from the previous meeting.

\*9.2 Committee Liaison Updates

Select Board member	Committee	Report
Dolliver	Charter Review Commission	The new and revised Town Charter is on the warrant for the June 14 Annual Town meeting.

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	Clam Committee	Clam seedlings help with water quality and he encourages the Committee to ask for more money.
Aaron	Historic Preservation	The Bylaws were approved tonight. New members would be very welcome.
	Marginal Way	Joan Griswold gave a great talk about having a native garden which was recorded and is on the Marginal Way page of the website. On Saturday April 23 <sup>rd</sup> , Joan is presenting a talk about the stages of restoration for the Marginal Way, which is part of the Splash into Spring.
	Parks & Recreation	There is a great partnership between the Chamber and the Committee. In conjunction with the Chamber, the Committee is sponsoring the Sebastian Sandcastle event.
	Conservation	The Commission needs new members as there is no longer a quorum. Please consider applying to this Committee.
Ouellette	Facilities and Space Needs (FSN)	The Committee presented at the last Select Board meeting.
	Comprehensive Plan Committee	Presented tonight.
Whitelaw	Sustainability	No new update, but still communicating regularly with the Chair about the storm water management issues.
	OPA	Select Member Whitelaw updated everybody about the movies being shown in April.

\*9.3 Select Board Priorities (Items listed below are in no particular order of importance)

- a. Town Meeting related items
- b. Main Beach Revetment
- c. Trolley
- d. Estuary
- e. Improving Town operations/policies
- f. Bonaire event to celebrate Ogunquit's 40<sup>th</sup> 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. Town Manager six (6) month review
- n. Town Branding

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Select Member Dolliver said in his personal opinion he doesn't think the Town of Ogunquit needs to be rebranded.

**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) and that your comments be respectful of the community we aspire to. 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.

Fire Chief Osgood said they are now doing fire inspections of rental units just to be sure they are all meeting Fire Safety codes.

**\*11.0 SELECT BOARD COMMENTS**

Select Dolliver thanked the Town Clerk, Chris Murphy for keeping the Board up to date on Freedom of Access requests and their progress.

The Easter Egg hunt event was incredible and very popular. He thanked the Police Department.

The Board shared some memories about resident Lesley Matthews who sadly passed away recently.

Chair Ouellette reminded everybody about the AIDS walk on May 7, 2022.

Select Member Whitelaw referred to a new law suit in which he is a defendant and the money it costs the Town when that money could be spent in ways to benefit Ogunquit instead.

**\*12.0 ADJOURN**

Select Member Dolliver made a motion to adjourn at 8:38 pm. 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.**

*Tracey Cutler*

Tracey Cutler, Recording Secretary