

Ogunquit Select Board
June 7, 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
June 7, 2022
5:00 pm – Executive Session
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), 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 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

5:00 pm **EXECUTIVE SESSION**

The Select Board will meet in Executive Session pursuant to Maine Law Title 1 M.R.S.A. §405.6(A) for deliberation and consideration of employment of the Police Chief, which will include meeting with the final candidate for the position.

MOTION: Select Member Dolliver made a motion to go into Executive Session pursuant to Maine Law Title 1, M.R.S.A. 405.6(A) for deliberation and consideration of employment of the Police Chief. Motion seconded by Select Member Aaron.

Motion passed 5:0

Note: This portion of the meeting will not be accessible to the public. At the end of the Executive Session, a motion will be made to come out of Executive Session, and then the meeting will be accessible to the public again (see above for public access information). At that time, the Select Board plans to take a public vote to come out of Executive Session to complete our business in public.

MOTION: Select Member Aaron made a motion to come out of Executive Session. Motion was seconded by Select Member Whitelaw.

Motion passed 5:0

6:00 pm **MEETING**

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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
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.

*1.4 Year in Review

Chair Ouellette said he will be stepping down from the Chair position. He believes this Board has accomplished a lot of things for the Town, together with staff and volunteers, both small and large. Since January the meetings have been shorter and more time dedicated to getting things done together with the Town staff and many volunteers.

The Chair listed the following achievements:

- The beautification of the Town
- Streamlining and combining of Public Works with Facilities resulting in more people being available in areas they were most needed
- New American flags were purchased for all the streetlight poles and in addition an anonymous donation of Pride flags was installed alongside the American flags
- The Captain Thomas Road culvert project was started and completed
- The Agamenticus and River Road projects were completed
- A pay as you throw program was introduced at the Transfer Station
- The Transfer Station has begun a pilot organic composting program
- Trolley vendors were negotiated for last year and this year
- Various policies were introduced including purchasing, electronic signature and ambulance billing
- We added the approval of Town payroll and accounts payable to the Select Board agenda
- A new transparent financial page was rolled out
- A new budget software was implemented

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- A more streamline budget process was introduced which resulted in information being available in a timelier manner
- New processes were put in place to prevent mistakes in the FEMA process going forward
- A new employee handbook was implemented
- \$2.85 million was allocated by the Federal Government for Perkins Cove Bridge and the Harbor Master building
- \$3.4 million was secured from federal funding for the dredging of Perkins Cove
- The Harbor Master, Parks and Rec Committee, and volunteers came together to paint the Harbor Master building and bridge
- We switched over to LED street lighting giving the Town a cost saving of 75.4%
- We purchased cameras and equipment for remote meetings
- We completed the LED conversion project on Shore Road
- We approved the remote meeting policy for our boards, committees and commissions
- We supported our Facilities and Space Needs Committee and its completed space needs assessment
- The Fire Department hosted dinner on Christmas Day for the community
- The Town is working on a transparent CIP web page
- We partnered with the Sustainability Committee to better support our natural resources in Town
- We partnered with the Ogunquit Rotary and Healthy Rivers Ogunquit to promote a dog waste program to protect our estuary
- We purchased an electric vehicle
- We signed a collaborative solar agreement through Southern Maine Planning Development Commission (SMPDC) and found a Sustainability Coordinator, with other towns
- We are partnering with the Chamber to identify potential sites for electric vehicle chargers
- We bid out and awarded Phase 4 for Maine water shed quality and are working with SMPDC and other towns for a global approach
- Staff departments were re-organized to provide better support and strategic planning
- The Fire Department held several COVID vaccine clinics
- Our DPW completed a sidewalk extension connecting Bournes Lane to Shore Road.
- DPW together with the Bike Ped Committee expanded the shoulder on Berwick Road to make pedestrian transit safer and for a future extension to the dog park
- DPW with Parks and Rec converted a tennis court to a multiple-use pickleball and tennis court
- We supported Ogunquit Performing Arts movie nights
- We assisted DPW, local artists and the Parks and Rec Committee with the first Plein Air event
- We have planned for and requested a Recreation and Cultural Director position
- We have planned for and requested a Natural Resources Director position

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- We assisted the Chamber in bringing back Christmas by the Sea
- We, along with many departments, supported the Bonaire parade and bonfire
- A performance management program will be implemented by the Town Manager
- The Historic Preservation Committee continues its extensive research into historical buildings
- Our lifeguards received their first accreditation from the US Life Saving Association
- The Marginal Way was approved and added to the National Historic Registry
- The Planning Board reviewed and approved many applications and kept the Town in compliance with the ordinances
- We employed a new Code Enforcement Officer
- The Police Department held its first Easter Egg Hunt
- Visitor Services moved forward to ensure all parking lots were metered
- We purchased and placed a Mobi Mat on Main Beach
- We partnered and participated with the Chamber to form a new Pride Committee and organized many events for Pride month
- We contracted with a new IT vendor to increase and improve security and reliability
- A Comprehensive Plan Committee was formed to start work on a new Comprehensive Plan
- The Parks and Rec Committee and many Town departments partnered with the Chamber to celebrate the 40th anniversary of Ogunquit

The Chairman thanked everybody involved and said many of the accomplishments would not have happened without the help of Town Staff and volunteers.

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

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

The Treasurer was pleased to report that spending was exactly in line with what she expected for this time of year. There were 2 exceptions: insurance and utilities. She added that these are items on the June 21 warrant approved at Town meeting, not to be confused with line items on the budget. Both of those have large payments due.

All revenue has been collected by this time of year and the \$515,000 in the unassigned fund will cover the uncollected revenue of \$352,500. It is also great validation as we reduced the amount in the unassigned fund going forward. During the pandemic a large amount was allocated to that fund as nobody knew what to expect. Lessons have been learned from that. It is always a balancing act trying to plan a budget between stabilizing the tax rate and preparing for the future, so we are always asking how we can add value to public operations.

The audit will be done in 2 stages as that worked very well last year. The pre-audit will be on June 21, 2022 and then a final audit during the Fall.

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3.0 **CONSENT AGENDA**

- *3.1 Approve Draft Minutes
 - a. May 3, 2022
 - b. May 17, 2022
- *3.2 Approve Payroll Warrants
 - a. May 19, 2022
 - b. May 26, 2022
 - c. June 2, 2022
- *3.3 Approve Accounts Payable Warrant
 - a. June 7, 2022
- *3.4 Approve Liquor Licenses – Renewal
 - a. Inn on Shore Road, The – Malt, Wine, & Spiritous
 - b. Leavitt Theatre – Malt, Wine, & Spiritous
 - c. Nikanos, Inc. – Malt, Wine, & Spiritous
 - d. Rose Cove Café – Malt, Wine, & Spiritous
 - e. Trellis House, The – Malt, Wine, & Spiritous
- *3.5 Approve Liquor Licenses – New
 - a. Graze + Vine – Malt, & Wine
 - b. November Charlie’s – Malt, Wine, & Spiritous
- *3.6 Approve Amusement Licenses – Renewal
 - a. Leavitt Theatre
- *3.7 Committee Resignations
 - a. Acknowledge the Resignation of Priscilla Botsford as Comprehensive Plan Committee Member
 - b. Acknowledge the Resignation of Marsha Northrop as Comprehensive Plan Committee Member
 - c. Acknowledge the Resignation of Michael Sgambati as Comprehensive Plan Committee Member
- *3.8 Committee Openings
 - a. Anticipated openings posted on the Town website – Town Clerk – Boards/Committees (*Updated May 11, 2022*)

Select Member Whitelaw requested that 3.5b be removed from the agenda as it had been denied approval from the Fire Chief and Code Enforcement Officer.

The owner of Graze and Vine introduced himself and described Graze and Vine as partly retail and partly wine bar. The Chair welcomed him to Ogunquit.

MOTION: Select Member Aaron made a motion to approve the Consent Agenda items 3.1 through 3.8. excluding item 3.5b. Motion seconded by Select Member Dolliver.

Motion passed 5:0

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The Board discussed item 3.5b, request for a new liquor license for November Charlie's. The new owners introduced themselves and said the idea was to create an intimate atmosphere to have an alternative to the larger and noisier establishments in Town. It is big enough for 47 people.

The Code Enforcement Officer's reason for denying the license is because they applied to operate a Class A lounge which is not a permitted use in Ogunquit.

Select Member Dolliver said his biggest concern was that they went before the Planning Board requesting a Type One Restaurant and your State application says Class A. He said that he had never seen a liquor license be denied by both the Fire Chief and the Code Enforcement Officer. The applicant explained that they are in the process of correcting things to alleviate the Fire Chief's concerns. He argued that Ogunquit has another Class A restaurant in Town and at State level, they would be permitted to operate.

The Board agreed that once the Fire Chief agrees they have met all of the criteria the Board will talk with the Code Enforcement Officer to further understand his reasons for denial. The Town Manager added he would ask the Code Enforcement Officer to call the applicant.

Select Member Dolliver made a motion to table considering November Charlie's liquor license application until such time they let the Code Enforcement Officer know that they are ready to be reconsidered. Motion seconded by Select Member Aaron.

Motion passed 5:0

4.0 PUBLIC HEARING AND SELECT BOARD VOTE

- 4.1 Annual Town Meeting – June 14, 2022 (No vote required)
 - a. Public Hearing on Annual Town Meeting Warrant Articles

There were 2 questions about Article 42, American Rescue Plan Funds, from Rebecca Fox, resident. She asked what happens if the Town didn't vote in favor and if they do vote in favor, how will residents learn about the appropriation of those funds.

The Town Manager said if the Town votes against this article, the Town would not be able to use the funds. Options for how the money will be spent will be put before the Board with a public hearing so there is the opportunity for public input.

5.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS

6.0 TOWN MANAGER REPORT, Matthew Buttrick, Town Manager

- 6.1 Town Manager Updates
 - a. Agamenticus Road

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- b. River Road
- c. Perkins Cove Rotary Park
- d. Memorial Day
- e. Perkins Cove Bridge RFP
- f. Recognition of the Fire Department and Police Department

The Town Manager said both Agamenticus and River Road projects are now completed although some re-seeding will be required on Agamenticus Road. A pipe was replaced at Perkins Cove Rotary Park and the brick work replaced with pavers, as well as a sun sail to provide shade and some new greenery. We are still waiting for some vinyl wrap for the posts and some solar lighting. He reminded everybody about Bonaire on June 11. Mr. Buttrick apologized for the lack of a Memorial Day event this year, but he is working towards having one next year and would welcome any help from volunteers. Anybody interested can visit him at the Town Hall or email him at: townmanager@ogunquit.gov.

There was only one response to the RFP for Perkins Cove Bridge which came in above the threshold allowed for engineering when using FEMA funds. We will be posting a rebid with an amended description with a mandatory site walk. Those that have already done a site walk won't need to do it again.

The Town Manager ended his update by congratulating the graduating students from Wells High School and thanking the Police and Fire Departments for all their hard work, dedication and diligence, and added that Ogunquit is very lucky to have them.

7.0 UNFINISHED BUSINESS

8.0 NEW BUSINESS

- 8.1 Police Union Contract, Betsy Oulton, HR Maine Consulting
 - a. Review and Ratification of Police Union Contract

Unfortunately, Ms. Oulton was not available this evening. Chair Ouellette explained that the Board Members had already had a chance to read the new Police Union Contract.

MOTION: Select Member Dolliver made a motion to ratify the Police Union Contract for a term of June 1, 2022, to June 1, 2025. Motion seconded by Select Member Vogel.

Motion passed: 5:0

- 8.2 Police Chief, Matthew Buttrick, Town Manager
 - a. Announcement and Confirmation of the Town Manager's appointment of the Police Chief

The Town Manager explained the hiring process for the public.

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MOTION: Select Member Dolliver made a motion to confirm the appointment of John Lizanecz as Police Chief. Motion seconded by Select Member Vogel.

Motion passed 5:0

Chief Lizanecz introduced himself and said he is a big believer in community policing and is very excited to start working for the Town of Ogunquit.

9.0 SELECT BOARD UPDATES

- *9.1 Prior Meeting Unanswered Questions
Select Board will address any unanswered questions from the prior meeting.
- *9.2 Committee Liaison Updates

Select Board member	Committee	Report
Dolliver	Charter Review Commission	Please take time to view the new and revised Town Charter before voting on it at the June 14 meeting.
Aaron	Historic Preservation	OHPC requested that the Marginal Way be added to the Ogunquit Register of Historic Places, but it won't be on the agenda until it's gone before the Townspeople for vote at the Town meeting.
	Marginal Way	Marginal Way – many opportunities for volunteers -anybody interested should get in touch with the committee
	Parks & Recreation	Parks and Rec are working with the Chamber on Bonaire.
	Conservation	Bill Lee, long serving member has indicated he won't be seeking reappointment so we need volunteers more than ever and a leader. It will take some hard work to restore the committee to what it used to be. She thanked Bill Lee for everything he has done.
Vogel	Planning Board ZBA	There will be a Planning Board, Comprehensive Plan Committee, Land Use and Zoning subcommittee work shop on June 13, at 5:00 pm.
Ouellette	Facilities and Space Needs (FSN)	The FSN Committee is waiting for the results from the Town meeting to determine next steps.
	Comprehensive Plan Committee	Comprehensive Plan Committee have their initial survey out - this is a great opportunity to have your voice heard in the process and they are also preparing to talk about a vision moving forward.
Whitelaw	Sustainability	read a letter from Priscilla Botsford, Chair Sustainability Committee listing some items for the Board to consider; beach clean initiative, regional coordination to address water quality, and countywide future planning opportunities for solid waste disposal
	OPA	OPA are hosting their 26 th annual chamber music festival continuing with the Boston Chamber String Sextet Music, Friday June 10, 2022

- *9.3 Select Board Priorities (Items listed below are in no particular order of importance)
 - a. Town Meeting related items
 - b. Main Beach Revetment

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- c. Trolley
- d. Estuary
- e. Improving Town operations/policies
- f. Bonaire event to celebrate Ogunquit's 40th 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

There was no discussion about the priorities.

The Town Manager talked about the upcoming election and said candidates running for office should stay outside near the benches.

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.

Questions/Comments

Jim Hartwell

- Cost of Captain Thomas Road project
- Why is the Town Manager and Board waiting to see if the \$875,000 will be approved before tackling the mold problem in the police department?
- Why has the Facilities and Space Needs Committee been put into action before the Comprehensive Plan is in place?

Chair Ouellette wanted to make it clear that all the accomplishments listed tonight were not just down to the Board, but the entire Town.

Select Member Dolliver explained the costs for the Captain Thomas Road project.

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Mr. Buttrick explained the history about the mold which originally came from a flood. Chair Ouellette explained the goals of phase 2, which includes the remediation of mold. He also explained why the Facilities and Space Needs Committee was put in place before the Comprehensive Plan Committee and reminded everybody of the duties of the Select Board. He added that there is a rumor going around that the Board put their favorite people on the Facilities Space Needs Committee. He explained that the Board followed due process and he didn't even know some of the applicants.

***11.0 SELECT BOARD COMMENTS**

Select Member Aaron thanked Chair Ouellette for being such a great Chair and said it has been a pleasure working with him. She never thought that they would be still fighting for the 2 new positions and the funds for a new Municipal Campus a week before the Town election. She stressed it was not going to get better than this.

Select Member Vogel agreed with Select Member Aaron and added his thanks to Chair Ouellette and to the Town Manager and his staff for getting so much done. He gave a huge thank you to the first responders. He also stressed the need for the Municipal Campus upgrade, adding that the Town staff deserve it.

Select Member Whitelaw talked about the state of the roof at the Town Hall and was told that the roof loses heat during the winter and if it wasn't for that, the roof would likely cave in from the weight of snow. He thinks the Town can vote in favor of a new campus which is a really well thought out design, put together by some very committed volunteers. He thanked Chair Ouellette for his leadership and Mr. Buttrick for his work so far.

Select Member Dolliver reminded everybody he would be getting his hair cut and beard shaved on September 28th for children's cancer in Maine. He thanked the Town's first responders for the great job they do even under the current conditions and added that the Town's staff deserve safe and fair working conditions. He thanked the Chair for all his hard work.

Chair Ouellette read out a list of safety concerns in the police department provided by Interim Police Chief Pawlik. He informed everybody that the Rotary would be doing their 2-cent sale in July and will be selling tickets to benefit the Rotary and to help with the cost of the 2-cent sale. Tomorrow the torch for Special Olympics will come through Ogunquit at about 09:30 am. The Chair thanked everybody for their kind words about the time he has served as Chair.

***12.0 ADJOURN**

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

Motion passed: 5:0

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Tracey Cutler, Administrative Assistant

***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.**