

Charles L. Waite, III, Chair
John M. Daley, Vice Chair
Richard A. Dolliver
Madeline S. Mooney
Robert N. Winn, Jr.



AGENDA
MEETING OF THE OGUNQUIT SELECT BOARD
TUESDAY, JANUARY 8, 2019

- 1.0 CALL TO ORDER: 6:00PM**
 - 1.1 Roll Call of Members
 - 1.2 Pledge of Allegiance
 - 1.3 Select Board Minutes - November 7, 2018
 - 1.4 Select Board Minutes - December 4, 2018

- 2.0 PRESENTATIONS, PROCLAMATIONS, RESOLUTIONS & COMMUNICATIONS**
 - 2.1 Police Department - Lt. Matt Buttrick and SRO Scott Long
School Resource Officer Update
 - 2.2 Senior Housing Project - Richard Littlefield
 - 2.3 Fire Department - Chief Ed Smith and EMS Coordinator Chris Mooney
Emergency Medical Services QA/QI Protocols
 - 2.4 Ocean Rescue Service - John Paul Argenti, Lifeguard Captain
Season Debrief and Looking Ahead
 - 2.5 Visitor Services - Ray Hamlin and Gene McSweeney
Season Debrief and Looking Ahead
 - 2.6 Communication
Memo from Town Attorney Mary Costigan of Bernstein Shur regarding recent training

- 3.0 TOWN MANAGER'S REPORT**
 - 3.1 FY 2020 Budget

- 4.0 APPOINTMENTS & RESIGNATIONS**

- 5.0 UNFINISHED BUSINESS**

- 6.0 NEW BUSINESS**
 - 6.1 Approve Purchase of a Lifeguard ATV
 - 6.2 Set Emergency Medical Services (EMS) Billing MS Rates

- 7.0 CITIZEN COMMENTS (For town topics not on the agenda)**

The Select Board welcomes public comments and questions about Town-related issues that are not on the agenda. We ask that people keep comments on point and within 3 minutes.

Ogunquit Select Board

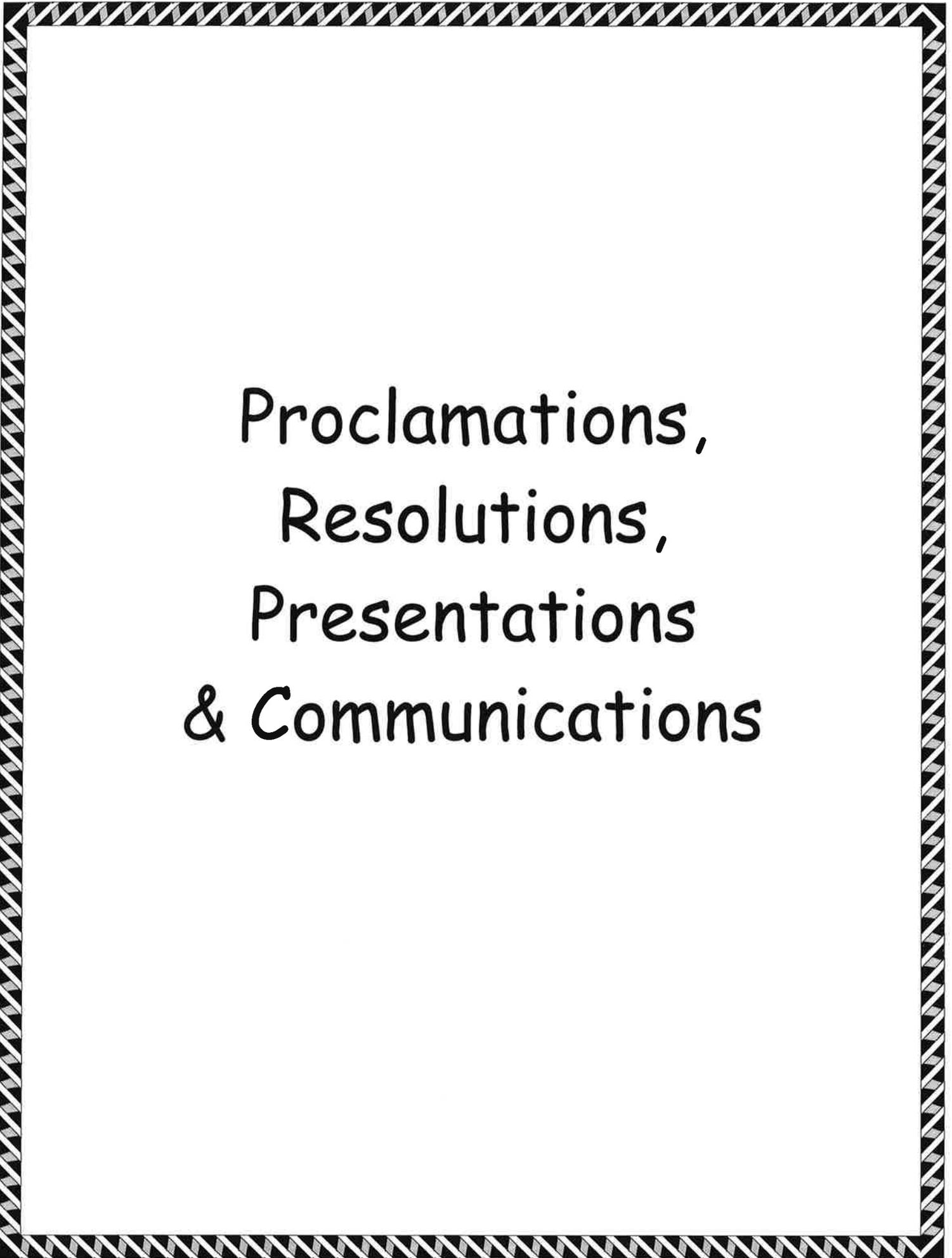
January 8, 2019

Page 2 of 2

8.0 OTHER BUSINESS

8.1 Select Board Reports and Announcements

9.0 ADJOURNMENT



Proclamations,
Resolutions,
Presentations
& Communications

TOWN OF OGUNQUIT
MUNICIPAL CODE, TITLE V, CHAPTER 12
Municipal Parking Lot Regulations
APPENDIX A – FEE SCHEDULE

PARKING PERMITS:

Full Time Residents:

- 1st Decal - \$35.00
- 2nd Decal - \$100.00
- Moped/Scooter - \$5.00

Non-Resident Part Time Property Owner:

- 1st Decal - \$35.00
- 2nd Decal - \$100.00
- Moped/Scooter - \$5.00

Businesses & Employees:

- Perkins Cove Business Owners/Business Renters - \$150.00
- Obeds Parking Lot & Lower Lot – Business Employees - \$100.00

Hotel/Motel Overnight Guests:

- Free when no fees are charged at Main Beach Lot (upon notice to Town)
- \$6.00 per night (till 2nd Saturday in June & after Labor Day)
- \$10.00 per night (all other times)

Village Apartment Renters:

- \$50.00 per year

OTHER FEES:*

Main Beach:

- Annex Parking Lot - No charge/30 Minute Limit as posted
- Main Parking Lot - \$25.00/per day/Shoulder Season
\$30.00/per day/In season

Perkins Cove:

- Parking Lot - 1 hour/\$4.00
2 hours/\$7.00
3 hours/\$10.00/3 hr limit/In Season
Overtime Parking Charge - \$4.00/hour

- Boatyard Parking Lot - No charge/2 hr limit

- Charter/Fishermen Parking Area - No charge/By permit only

- Residents' Overnight Parking - No charge/By permit only

Title V – Motor Vehicle Traffic and Parking Ordinance

Satellite Lots:

Cottage Street Lot	- 1 hour/\$4.00 2 hours/\$7.00 3 hours/\$10.00/3 hr limit/In Season <u>Overtime Parking Charge</u> First Hour \$4.00 After First Hour \$25.00 Parking Fine
Footbridge Beach Lot	- \$15.00/M-TH/Shoulder Season \$20.00/F-S/Shoulder Season \$25.00 per day/In Season
Jacobs Lot	- No charge/30 Minutes or 2 hr limit as posted
Lower Lot - River Road	- \$15.00/M-TH/Shoulder Season \$20.00/F-S/Shoulder Season \$25.00 per day/In Season Hourly Rate - \$3.00 per hour Overtime parking charge: \$25.00 Parking Fine
Upper Lot - Main Street	- No Charge/1 Hr limit
North Beach Lot	- \$15.00/M-TH/Shoulder Season \$20.00/F-S/Shoulder Season \$25.00 per day/In Season
Obeds Lot	- Daily Rates \$15.00/M-TH/Shoulder Season \$20.00/F-S/Shoulder Season \$25.00 per day/In Season <u>Hourly Rates</u> 1 hour/\$4.00 2 hours/\$7.00 3 hours/\$10.00/3 hr limit/In Season <u>Overtime Parking Charge</u> First Hour \$4.00 After First Hour \$25.00 Parking Fine

MOPEDS/SCOOTERS/MOTORCYCLES:

Parking - Designated areas only (**Main Beach/Footbridge/North Beach & Obeds Lots**)

Moped/Scooter	\$5/day
Motorcycle	\$10/day

Parking - Designated areas only (**Perkins Cove**)

Motorcycles/Scooters \$4/2 hours

** Rates posted above under “Other Fees” are subject to “inclement weather” and “off season (shoulder season)” reductions at discretion of Visitor Services Supervisors.*

BEACH IMPACT FEES:

Commercial Buses & Vans under 40 feet and 15 or less Passengers - \$50.00/per day

All Vehicles over 40 feet or more than 15 passengers - \$100.00/per day

Ogunquit Business Season Pass - \$1,500.00

Out-Of-Town Business Season Pass - \$3,000.00

Ogunquit Business/Other Season Pass - \$300.00

NOTE:

July 1 – Labor Day

Perkins Cove Road closed to all vehicles over 40 feet

Fee Schedule Amended:

February 14, 2006	April 18, 2006	August 8, 2006	April 3, 2007
April 17, 2007	June 3, 2008	April 12, 2011	August 17, 2011
December 13, 2011	April 10, 2012	February 4, 2014	March 4, 2014
September 17, 2014	November 18, 2014	January 6, 2015	April 5, 2016
April 11, 2017	September 12, 2017		

Memorandum

To: Pat Finnigan

From: Mary E. Costigan

Date: January 2, 2019

Re: Roles of Planning Board and Select Board

I have been asked to provide information regarding the different roles and responsibilities of Planning Board members and the Select Board and areas where the two may overlap. This topic was addressed at a meeting with the Select Board on November 7, 2018. I was asked to address this topic in response to questions related to whether it was appropriate for Select Board Members to speak with people who have pending applications before the Planning Board or to otherwise discuss land use or Planning Board issues with the public. As set forth in more detail below, Select Board members may communicate with members of the public regarding matters pending before the Planning Board, or other related matters. Such communications do not violate the Select Board's Code of Ethics.

In a Town Meeting-Select Board form of government, the Select Board performs an executive function and implements, administers and enforces the legal, budgetary and other decisions made at Town Meeting. One of the duties of the Select Board is to appoint members of town boards, including the Planning Board. Select Board members are elected and therefore have direct relations and communications with voters / Town Meeting on a variety of issues.

The Planning Board members have several duties set forth in section 6.4 of the Zoning Ordinance. They perform a quasi-judicial function when reviewing applications and making permit decisions, and also perform a planning function when participating in long range or comprehensive planning. When performing a quasi-judicial function, Board members are required by law to be neutral arbiters and cannot have a conflict of interest or otherwise be unduly influenced to make a decision a particular way. Board members are tasked with objectively applying the existing ordinances to an application to determine if all criteria are met and granting the application if they find in the affirmative on all criteria.

Select Board members, on the other hand, rarely play a quasi-judicial function. Instead, they play an executive role and carry out the duties set forth in the charter, such as appointing certain town employees and boards, overseeing disbursement of funds, executing contracts, authorizing legal action, etc.

The two boards only overlap in the appointment of the Planning Board members by the Select Board. As such, the Select Board members can receive complaints by applicants or general members of the public regarding the Planning Board and can observe Planning Board meetings and review decisions to ensure that the Planning Board members are properly carrying out their duties. Select Board members cannot, however, attempt to influence a decision by the Planning Board by contacting Planning Board members or testifying at a Planning Board meeting in their role as a member of the Select Board in order to sway the Planning Board toward a particular outcome. There may be an instance where a Select Board member is personally impacted by an application (i.e., an abutter) and he or she may participate in the Planning Board process, but it should be made clear that their participation is as an interested abutter and not in their capacity of Select Board member. Select Board members are free to speak with constituents, even if they have an application pending before the Planning Board, provided they do not cross the line of attempting to influence the outcome of the Planning Board decision.

I hope this information is helpful. Please let me know if you have further questions.



New Business

Office of the Town Manager

To: Select Board
From: Pat Finnigan
Date: January 4, 2019

RE: Bid Award for an ATV for the Ocean Rescue Service

The FY19 Budget includes funding to purchase a new AV for the Lifeguards/Ocean Rescue Service. The amount approved in the budget was \$17,800. We sought prices from dealers and received 3 bids:

Abbott's Power Equipment: \$15,560
East Waterboro, ME

Robertson's Power & Sports \$15,610
Sanford, ME

Rochester Motor Sports: \$16,602
Rochester, NH

Lifeguard Captain John Paul Argenti will be at the meeting to discuss the models, pricing, and warranties of each bid and present his recommendation.

Q U O T A T I O N



MOTORSPORTS • LAWN & GARDEN • COMMERCIAL

PO Box 330, 154 Main Street, E. Waterboro, ME 04030

207-247-5278

PHONE #: (207)646-4947

CELL #:

ALT. #: (207)646-4947

P.O.#:

TERMS: Net 30

SALES TYPE: Quote

DATE: 12/26/2018

ORDER #: 22122

CUSTOMER #: 111029

CP: DAVID

LOCATION: 1

STATUS: Active

BILL TO 111029

TOWN OF OGUNQUIT FIRE AND RESCUE
P.O. BOX 875
OGUNQUIT, ME 03907

SHIP TO

TOWN OF OGUNQUIT FIRE AND RESCUE
P.O. BOX 875
OGUNQUIT, ME 03907

Table with 5 columns: MFR, PRODUCT NUMBER, DESCRIPTION, QTY, PRICE, NET, TOTAL. Rows include R19RVE87AH, 2883274, and 2883278.

Prices reflected on this quote are valid for 30 days and while current supplies last. However, prices are subject to change if the program or promotion the prices were quoted under is no longer in effect.

No returns on electrical or special order items. There may be a 20% restocking fee imposed on returned items. All returns must be accompanied by the original receipt and be made within 30 days.

Thank you for your business!

SUBTOTAL: \$15,560.98
TAX: \$0.00
ORDER TOTAL: \$15,560.98

Authorized By: _____

Can-am SPYDER ATV POLARIS ski-doo SEA-DOO SUZUKI YAMAHA KYMCO



Motorcycles • ATV's • Snowmobiles • Watercraft

733 Lebanon Street
Sanford, Maine 04073

SALES & SERVICE

Tel. 207-324-5502
Fax 207-324-3086

PURCHASER: <i>Town of Oronoquit</i>		HOME PHONE: <i>617-368-0659</i>	BUSINESS PHONE:	DATE:
STREET:		CITY, STATE, ZIP:		E-MAIL: <i>Oceanrescue@townoforonoquit.org</i>

DESCRIPTION OF PURCHASE				DESCRIPTION OF TRADE-IN			
<input checked="" type="checkbox"/> NEW <input type="checkbox"/> USED	YEAR	MAKE	MODEL	YEAR	MAKE	MODEL	
	<i>2019</i>	<i>CAN-AM</i>	<i>Defender MAX DPS HD8</i>				
SERIAL NO.		ENGINE NO. <i>800</i>		SERIAL NO.		ENGINE NO.	
COLOR <i>Green</i>		STOCK NO.		TITLE NO.		LICENSE NO.	
KEY NO.		DELIVERED ON OR ABOUT		COLOR		MILEAGE	
LIENHOLDER				LIENHOLDER			
ADDRESS				ADDRESS			

ACCESSORIES			SETTLEMENT	
<i>Sport roof</i>	<i>715 003038</i>	<i>650 00</i>	BASE PRICE	<i>14,500 00</i>
<i>Full shield</i>	<i>715 002431</i>	<i>360 00</i>	DEALER PREP and FREIGHT	<i>—</i>
			<i>labor</i> TITLE-OFFICE CHARGES	<i>100 00</i>
			ACCESSORIES	<i>1010 00</i>
			SUBTOTAL	<i>15,610 00</i>
			TRADE-IN ALLOWANCE	<i>—</i>
			SUB TOTAL	<i>15,610 00</i>
			SALES TAX	<i>Exempt</i>
			CASH PRICE	<i>15,610 00</i>
			MANUFACTURERS REBATE	<i>—</i>
			TOTAL PRICE	<i>15,610 00</i>
			DEPOSITS	<i>—</i>
			BALANCE DUE ON DELIVERY	<i>15,610 00</i>

REMARKS: *w/ 2 year warranty.*

The terms and conditions of this bill of sale comprise the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding or promise whatsoever will be recognized. Upon failure or refusal of the purchase to complete this agreement for any reason, all or part of the cash deposit may be retained as liquidated damages. The purchaser certifies he/she is of legal age and hereby accepts and acknowledges receipt of a copy of this bill of sale.

SALESPERSON: *Josh Tarnie*

DEALERSHIP ACCEPTANCE: *[Signature]*

PURCHASER: _____

SELLER

DATE



23 Farmington Road, Route 11 • Rochester, NH 03067
 (603) 335-5700 • Fax (603) 335-5800
 www.RochesterMotorsports.com

BUYER'S NAME: **Ogunquit Ocean Rescue**
 STREET ADDRESS: **Beach St.**
 CITY: **Ogunquit** STATE: **ME** ZIP: **03907**
 PHONE: **207-646-4947**
 STREET ADDRESS: _____
 EMAIL: _____

CASH OR CERTIFIED CHECK DUE ON DELIVERY

THE TRANSACTION
 I ORDER AND AGREE TO PURCHASE FROM YOU, ON THE TERMS CONTAINED ON BOTH SIDE OF THIS AGREEMENT, THE FOLLOWING VEHICLE (READ OTHER SIDE)
 THE INFORMATION YOU SEE ON THE FEDERAL TRADE COMMISSION WHICH FORM ZIP IS PART OF THIS AGREEMENT. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISIONS IN THE CONTRACT OF SALE

THE VEHICLE
 NEW USED DEMO STOCK NO:
 YEAR: **2019** MAKE: **Polaris** MODEL: **Ranger Crew 900 EPS** COLOR: **Green**
 SERIAL NO: _____
 DEL. DATE: _____ MILEAGE: **0**

THE PRICE
 VEHICLE PRICE: **\$15,399.00**

USED VEHICLE WARRANTY
 NO WARRANTY: Unless otherwise stated herein, this vehicle is sold AS IS. No warranty or verbal agreement representation will be binding.
THE TRADE
 YEAR: _____ MAKE: _____ MODEL: _____
 COLOR: _____ BODY TYPE: _____
 I CERTIFY THAT THE MILEAGE OF MY TRADE-IN IS: _____ MILES
 VIN: _____
PAYOFF INFORMATION
 BAL. OWNING TO: _____
 ADDRESS: _____

TOTAL ACCESSORIES: **\$ 864.00**
 INSTALLATION LABOR: **\$ 180.00**
 SERVICE CONTRACT
 TIRE/WHEELS
 GAP
 FREIGHT/DESTINATION
 SETUP/PPD
 ADMINISTRATION FEE: **\$ 159.00**
 NET TOTAL FEE/DCC
 TOTAL CASH DELIVERED PRICE: **\$ 16,602**
 TRADE-IN PAYMENT
 LESS ALLOWANCE ON USED TRADE-IN
 ADD BALANCE OWING
 UNPAID CASH BALANCE DUE ON DELIVERY (difference between items 1 and 2): **\$ 16,602**

TITLE TO TRADE DUE ON DELIVERY
 Buyer warrants title of Trade-in is NOT marked SALVAGE OR REBUILT. If SO marked and not disclosed, sale will be void or subject to renegotiation.
 BUYER'S SIGNATURE: _____
 CO-BUYER'S SIGNATURE: _____

PAYOFF INFORMATION
 Purchaser agrees that this Order includes all of the terms and conditions on both the back and reverse side hereof that this Order cancels and supersedes any other agreement and as of the date hereof complete the complete and accurate equipment of the vehicle of the agreement relating to the subject matters covered hereby, and that THIS ORDER SHALL NOT BECOME BINDING UNTIL ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE. Purchaser, by his execution of the Order, acknowledges that he has read its terms and conditions and has received a true copy of the Order.
 BUYER'S SIGNATURE: _____
 CO-BUYER'S SIGNATURE: _____
 THIS ORDER IS NOT VALID UNLESS SIGNED AND ACCEPTED BY DEALER OR HIS AUTHORIZED REPRESENTATIVE
 APPROVED: _____

THIS AGREEMENT IS NOT BINDING UNLESS SIGNED BY THE SELLER AND THE BUYER SEE OTHER SIDE FOR ADDITIONAL TERMS

MEMO

To: Patricia A Finnigan, Town Manager
From: Ed Smith, Fire Chief
Re: Adjustments to Ambulance Rates

Date: December 20, 2018

Cc: Chris Mooney, EMS Coordinator and John Quartararo, Treasurer

Since coming back onboard as the Interim Fire Chief and reviewing our billing practices and rates with our billing and collection contractor Medical Reimbursement Services, Windham, Maine I found that the rates charged for ambulance services have not been adjusted since 2011. I requested that our contractor compare our current rates to those of other communities for which they provide services. Attached to this memo is the report dated December 10, 2018 which shows our current rates, the recommended rates and comparative rates.

It should be understood that an increase in rates will not guarantee an increase in revenues.

- First roughly 50% of our payments are made by Medicare, and 10% by MaineCare. Medicare and MaineCare rates are set by law therefore any change in the billable rates would be reduced through billing adjustments to the amount allowed by law.
- Second, roughly 10% of our payments are made by Anthem which has a contract with the Town that controls the amount of service payments. Any change in the billable rates would be reduced through billing adjustments to the amount allowed by the contract.
- Third, roughly 5% of our payments are made by uninsured self-payment accounts, which also account for our highest percentage of uncollectible balances and charge-offs.
- Finally roughly 25% of our payments are made by private insurers which are not under contract and which would see any increase in payments from any increase in the billable rates for service.

During the 11 years since the last change in rates, the Town has seen increases in personnel costs, equipment and supplies and the Town purchased a new ambulance. To assure a continuing revenue stream to offset a portion of the operating costs and to provide set-asides for the Ambulance Reserve account I am asking that the recommended rate as proposed by Medical Reimbursement Service be brought forward to the Select Board for review, discussion and approval.

MEDICAL REIMBURSEMENT SERVICES

PO BOX 1810, WINDHAM, ME 04062

PHONE (800) 734-6677

December 10, 2018

Ogunquit Rescue,

Here are your current rates along with our recommendation for an increase. Please keep in mind about 70% of your transports are with Medicare, MaineCare and Anthem BlueCross and you have a participating agreement with them. What this mean is you will not see any more money from these three insurance companies but you will see an increase in all other insurance companies. You have not had a rate increase in over 10 years.

<u>Service</u>	<u>Current Rate</u>	<u>Recommended Rate</u>
Miles (A0425)	\$15.15	\$20
BLS (A0429)	\$600	\$1,100
ALS (A0427)	\$700	\$1,800
ALS 2 (A0433)	\$1,000	\$2,500
BLS Non-Emergency (A0428)	\$400	\$600
ALS Non-Emergency (A0426)	\$0	\$900
PIFT (SCT) (A0434)	\$0	\$0
Intercept	\$109	\$250
On Scene	\$109	\$175

<u>Charge</u>	<u>Buckfield</u>	<u>Lisbon</u>	<u>Casco</u>	<u>Wells</u>	<u>York</u>	<u>Kennebunk</u>
Miles	\$18	\$18	\$16	\$20	\$35	\$20
BLS RATE	\$800	\$700	\$600	\$1,100	\$1,500	\$1,100
ALS RATE	\$1,000	\$1,000	\$900	\$1,800	\$2,150	\$1,800
ALS2 RATE	\$1,500	\$1,400	\$1,200	\$2,500	\$3,300	\$2,500
BLS Non-Emergency	\$400	\$500	\$350	\$600	\$1,350	\$600
ALS Non-Emergency	\$600	\$600	\$400	\$900	\$2,150	\$900
SCT	\$2,800	\$0	\$0	\$3,000	\$3,800	\$3,000
Intercept	\$300	\$275	\$250	\$250	\$270	\$150
On Scene	\$100	\$200	\$100	\$175	\$215	\$300

Please let me know if you have any questions.

Shawn McPherson