

Madeline S. Mooney, Chair  
Robert N. Winn, Jr., Vice Chair  
John M. Daley  
Heath Ouellette  
Lindsey M. Perry



**EMERGENCY MEETING  
Ogunquit Select Board  
Tuesday, April 28, 2020  
6:00 p.m.**

This meeting is being conducted remotely during the COVID-19 State of Emergency

**How to Participate in the April 28 Select Board Meeting at 6:00 p.m.**

This meeting will be conducted remotely for the safety of the public, the participants, and the staff and to abide by the Governor's "Stay Safe at Home" Order. The Town will use Zoom for the public to participate during the meeting.

**You are invited to a Zoom webinar: Ogunquit Select Board.** Register in advance at:

[https://ogunquitpd-org.zoom.us/webinar/register/WN\\_yj-KeNyDQuSpNlOqtl0aPw](https://ogunquitpd-org.zoom.us/webinar/register/WN_yj-KeNyDQuSpNlOqtl0aPw)

After registering, you will receive a confirmation email containing information about joining the webinar.

This meeting will be broadcast live on **WOGT (Channel 1302)**, **live streamed** on the Town website (<https://www.townofogunquit.org/>) and it will be recorded for future viewing on WOGT and on the Town's web site: [https://townhallstreams.com/towns/ogunquit\\_maine](https://townhallstreams.com/towns/ogunquit_maine)

**AGENDA**

**1.0 Call to Order**

**1.1 Roll Call**

**2.0 New Business**

**2.1 Declaration of Emergency**

*Background:* Ogunquit's Municipal Code authorizes the Town Manager to make a finding of a disaster under circumstances such as the pandemic we are undergoing and declare an emergency pursuant to Title II Health, Safety and Welfare of the Ogunquit Municipal Code, Chapter 7 Civil Emergency Preparedness, Section 705 Emergency Proclamation.

*Action:* Consider approving the declaration of an emergency due to the pandemic COVID-19

**2.2 Appointment of a Community COVID-19 Task Force**

*Background:* In the interest of the public's health and Ogunquit's long-term ability to thrive, at its April 21 meeting the Select Board voted to appoint a Task Force to advise them on safeguards that should be in place now and also prepare for implementing a comprehensive, gradual re-opening in the future using recommendations of the federal and state CDC adapted to meet the needs of our community. Any plan needs to be rational, regional, and gradual so we don't undo the good work we've all accomplished to keep our community safe.

Action: Consider appointments to the Community COVID-19 Task Force comprised of 7 to 9 people, including two Select Board members, the business community, and general public to develop benchmarks, criteria, and guidelines to plan for the Town to gradually open.

See: <https://www.whitehouse.gov/openingamerica/>

### **2.3 Consider Deferring Payment of Commercial Mooring fees (fees are due May 31.)**

Background: Mooring fees are due annually on May 31. In recognition of the impact COVID-19 is having on commercial fishing, consider deferring the mooring fees for Ogunquit's 47 commercial mooring holders.

Action: Consider deferring commercial mooring fees until September 15, 2020.

### **3.0 Select Board Reports and Announcements**

#### **Adjournment**



## **Emergency Proclamation Pandemic COVID-19**

**WHEREAS**, COVID-19 is a highly contagious and sometimes fatal disease that spreads easily from person-to-person and poses an imminent threat of substantial harm to the public by causing serious illness or death;

**WHEREAS**, The worldwide outbreak of COVID-19 and the effects of its risk of person-to-person transmission presents a significant adverse impact on people's lives and constitutes a public health disaster that affects life, health, property; and

**WHEREAS**, On January 31, 2020 the U.S. Secretary of Health and Human Services declared that COVID-19 constituted a public health emergency; and

**WHEREAS**, The President of the United States issued a proclamation declaring a National Emergency caused by COVID-19 on March 13; and

**WHEREAS**, The Governor of Maine issued a proclamation declaring a State of Civil Emergency on March 15 and extended that declaration on April 14 because COVID-19 remains a highly infectious agent that poses an imminent threat of substantial harm to our citizens; and

**WHEREAS**, The Town of Ogunquit is vulnerable to the community spread of COVID-19 and the Town has taken actions in addition to those recommended by the National Center for Disease Control and Prevention, and those ordered by the Governor of Maine to protect residents, workers, and visitors to Ogunquit; and

**WHEREAS**, The Town of Ogunquit and surrounding coastal communities are prominent tourist destinations which heightens the risk of spread to or community; and

**WHEREAS**, Emergency planning is occurring in Ogunquit in collaboration with the State, York County, and municipalities in this region, and additional emergency regulations may be necessary to respond to this emergency and combat the threat to public health and safety;

**NOW THEREFORE** pursuant to the authority vested in the Town Manager by Title II Health, Safety and Welfare of the Ogunquit Municipal Code, Chapter 7 Civil Emergency Preparedness, Section 705 Emergency Proclamation, I hereby find and declare that a local disaster emergency exists and upon issuing this proclamation invoke that authority to facilitate access to resources, and promulgate regulations and measures that may be necessary to protect the public's health and safety.

This proclamation is effective upon majority approval of the Select Board.

Signed this \_\_\_\_\_ day of April, 2020

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Patricia A. Finnigan  
Town Manager

**TITLE II  
HEALTH, SAFETY & WELFARE  
CIVIL EMERGENCY PREPAREDNESS**

**Chapter 7 Civil Emergency Preparedness**

**701 Short Title**

This ordinance shall be known and may be cited and referred to as the "Civil Emergency Preparedness Ordinance of the Town of Ogunquit". Authorized under Title 37-B M.R.S.A Section 781-834 as enacted by P.L. 1983, c.460.

**702 Intent and Purpose**

- A. It is the intent and purpose of this Ordinance to establish an office that will insure the complete and efficient utilization of all of the Town's facilities to combat disaster as defined herein.
- B. The Ogunquit Office of Civil Emergency Preparedness will be the coordinating agency for all activity in connection with Civil Emergency Preparedness.

**703 Definitions**

- A. The following definitions shall apply in the interpretation of this ordinance.
- B. Civil Emergency Preparedness: means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters or catastrophes caused by enemy attacks, sabotage, riots or other hostile action, or by fire, flood, earthquake or other natural or man-made causes. These functions include, engineering, air raid warning and communications services; radiological, chemical and other special weapons defense; evacuation of persons from stricken areas; economic stabilization; allocation of critical materials in short supply; emergency transportation; existing or properly assigned functions of plant protection; other activities related to civilian protection and other activities necessary to the preparation for the carrying out of these functions.
- C. Disaster: means the occurrence of imminent threat of widespread or severe damage, injury or loss of life or property resulting from any natural or man-made cause, including, but not limited to, fire,

flood, earthquake, wind, storm, wave action, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, drought, critical material shortage, infestation, explosion, riot or hostile military or paramilitary action.

- a.) Civil Emergency Preparedness Forces: shall mean the employees, equipment and facilities of all Town departments, boards, institutions and commissions; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.
- b.) Civil Emergency Preparedness Volunteer: shall mean any person duly registered, identified and appointed by the Director of the Office of Civil Emergency Preparedness activity.
- c.) Director: shall mean the Director of the Ogunquit Office of Civil Emergency Preparedness, appointed as prescribed in the Ordinance.
- d.) Local: restricted to the geographic boundaries of Ogunquit or Ogunquit and the municipalities adjacent to it.
- e.) Regulations: shall include plans, programs and other emergency procedures deemed essential to Civil Emergency Preparedness.
- f.) Town Manager: shall mean duly appointed person to the position of Town Manager by the Board of Selectmen or designated person selected by the Board of Selectmen in the Town Manager's absence.

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### Organizations and Appointments

- A. An Office of Civil Emergency preparedness is hereby established within the executive department of the Town government and under the direction of the Town Manager.
  - a.) Organization: The Town Manager is hereby authorized to organize the Office of Civil Emergency Preparedness utilizing to the fullest extent possible the existing agencies within the Town.

B. Administration and Operation

- a.) There shall be an executive head of the office of Civil Emergency preparedness who shall be known as the Civil Emergency Preparedness Director. The Director shall be appointed by the Board of Selectmen and work under the direction of the Town Manager.
- b.) In addition to the Director, the office shall include such other assistants, employees and CEP volunteers as are deemed necessary for the proper functioning of the organization. Any necessary employee shall be hired by the Director with the consent of the Town Manager.
- c.) The Office of Civil Emergency preparedness shall operate according to this ordinance and regulations which shall be approved by the Ogunquit Selectmen and which may be amended from time-to-time by the Selectmen. No regulation or amendment shall be approved or adopted by the Selectmen during a declared emergency.

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Emergency Proclamation

Whenever a local disaster exists or appears imminent, the Town Manager, or his designee, by majority approval of the Board of Selectmen, shall, by proclamation, declare that fact and that an emergency exists in the municipality. A copy of the proclamation shall be posted in the same manner as the warrant calling a town meeting or a copy of the proclamation shall be filed with the Clerk. Local representatives of the media shall be contacted and informed about the proclamation as soon as possible.

A. Emergency Powers and Duties

During any period when a local disaster has been proclaimed a disaster pursuant to MRSA Title 37-B, Section 742, the Town Manager may promulgate such regulations, as he or she deems necessary to protect life and property and preserve critical resources. Such regulations may include, but not be limited to, the following:

- a.) Regulations prohibiting or restricting the movement of vehicles in order to facilitate the work of Civil Emergency Preparedness forces or to facilitate the mass movement of persons from critical areas within or outside the Town.

- b.) Regulations pertaining to the movement of persons from areas deemed hazardous or vulnerable to disaster.
  - c.) Such other regulations necessary to preserve public peace, health and safety.
- B. The Town Manager may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, life and property of the people, and bind the Town for the fair value thereof.
- C. The Town Manager may require emergency services of any Town officer or employees. If regular Town forces are determined inadequate, the Director may require the services of such other personnel as he or she can obtain that are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities provided by state law and Ordinances for regular Town employees and other registered and identified Civil Emergency Preparedness and disaster workers.

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**Termination of Emergency**

Whenever the Town Manager is satisfied that a local emergency or disaster no longer exists, he or she shall terminate the emergency proclamation by another proclamation. That proclamation shall be published in local newspapers and posted in the same manner as the warrant calling a town meeting. Local representatives of the media shall be informed of the termination of the emergency as soon as possible.

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**Duties of the Director of the Office of Civil Preparedness**

- A. The Director of the Office of Civil Emergency Preparedness shall be responsible to the Town Manager in regards to all phases of the Civil Emergency Preparedness activity. Under the supervision of the Manager, he or she shall be responsible for the planning, coordination and operation of the Civil Emergency Preparedness activity in the Town. Under supervision of the Manager, he or she shall maintain liaison with the County, State and Federal authorities and the authorities of other nearby political subdivisions as to insure the most effective operation of the Civil Emergency Preparedness plan. His or her duties shall include, but not be limited to the following:

- a.) Coordinating the recruitment of volunteer personnel and agencies to augment the personnel and facilities of the Town for Civil Emergency Preparedness purposes.
- b.) Development of plans for the immediate use of all the facilities, equipment, manpower and other resources of the Town for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring to usefulness governmental services and public utilities necessary for the public health, safety, and welfare.
- c.) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the Civil Emergency Preparedness purposes and designating suitable buildings as public shelters.
- d.) Through public informational programs, educating the civilian population as to actions necessary and required for the protection of their persons and property in case of enemy attack, or disaster, as defined herein, either impending or present.
- e.) Conducting public practice alerts to insure the efficient operation of the Civil Emergency Preparedness forces and to familiarize residents with Civil Emergency Preparedness regulations, procedures and operations.
- f.) Coordinating the activity of all other public and private agencies engaged in any Civil Emergency Preparedness activity.
- g.) Assuming such authority and conducting such activity as the Town Manager may direct to promote and execute the Civil Emergency Preparedness plan.

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**Civil Emergency Preparedness and Disaster Plan**

A comprehensive Civil Emergency Preparedness Emergency Operations Plan shall be adopted and maintained by resolution of the Selectmen upon recommendation by the Town Manager.

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**Violation of Regulations**

It shall be unlawful for any person to violate any of the provisions of this Ordinance or of the regulations or plans issued pursuant to the authority contained herein, or to willfully obstruct hinder or delay any member of

the Civil Emergency Preparedness organization as herein defined in the enforcement or the provisions of this Ordinance or any regulations or plan issued there under.

**710**            **Penalty**

Any person, firm or corporation violating any provision of this Ordinance, or any rule or regulation promulgated there under, upon conviction thereof, shall be punished by a fine of a minimum of \$100.00 to a maximum of \$1,000.00 per occurrence.

**711**            **Severability**

Should any provision of this Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions, or of this Ordinance, as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

**712**            **Conflicting Ordinances, Orders, Rules and Regulations Suspended**

At all times when the orders, rules and regulations made and promulgated pursuant to this Article shall be effect, they shall supersede all existing ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

**713**            **Effective Date**

This Ordinance, upon its adoption by the Town of Ogunquit, shall become effective immediately (Adopted by vote of the Town of Ogunquit on June 16, 1998 - Article 4 of the Warrant).



## GUIDELINES

# OPENING UP AMERICA AGAIN

President Trump has unveiled Guidelines for Opening Up America Again, a three-phased approach based on the advice of public health experts. These steps will help state and local officials when reopening their economies, getting people back to work, and continuing to protect American lives.

## **CRITERIA**

### **PHASE ONE**

### **PHASE TWO**

### **PHASE THREE**

# Proposed Phased Approach

BASED ON UP-TO-DATE DATA AND READINESS

MITIGATES RISK OF RESURGENCE

PROTECTS THE MOST VULNERABLE

IMPLEMENTABLE ON STATEWIDE OR COUNTY-BY-COUNTY BASIS  
AT GOVERNORS' DISCRETION

# Proposed State or Regional Gating Criteria

*Satisfy Before Proceeding to Phased Comeback*

## SYMPTOMS

Downward trajectory of influenza-like illnesses (ILI) reported within a 14-day period

AND

Downward trajectory of covid-like syndromic cases reported within a 14-day period

## CASES

Downward trajectory of documented cases within a 14-day period

OR

Downward trajectory of positive tests as a percent of total tests within a 14-day period (flat or increasing volume of tests)

## HOSPITALS

Treat all patients without crisis care

AND

Robust testing program in place for at-risk healthcare workers, including emerging antibody testing

State and local officials may need to tailor the application of these criteria to local circumstances (e.g., metropolitan areas that have suffered severe COVID outbreaks, rural and suburban areas where outbreaks have not occurred or have been mild). Additionally, where appropriate, Governors should work on a regional basis to satisfy these criteria and to progress through the phases outlined below.

# Core State Preparedness Responsibilities

## **TESTING & CONTACT TRACING**

Ability to quickly set up safe and efficient screening and testing sites for symptomatic individuals and trace contacts of COVID+ results

- Ability to test Syndromic/ILI-indicated persons for COVID and trace contacts of COVID+ results
- Ensure sentinel surveillance sites are screening for asymptomatic cases and contacts for COVID+ results are traced (sites operate at locations that serve older individuals, lower-income Americans, racial minorities, and Native Americans)

## **HEALTHCARE SYSTEM CAPACITY**

- Ability to quickly and independently supply sufficient Personal Protective Equipment and critical medical equipment to handle dramatic surge in need
- Ability to surge ICU capacity

## **PLANS**

- Protect the health and safety of workers in critical industries
- Protect the health and safety of those living and working in high-risk facilities (e.g., senior care facilities)
- Protect employees and users of mass transit

Advise citizens regarding protocols for social distancing and face coverings

Monitor conditions and immediately take steps to limit and mitigate any rebounds or outbreaks by restarting a phase or returning to an earlier phase, depending on severity

## GUIDELINES FOR ALL PHASES

# Individuals

Continue to adhere to State and local guidance as well as complementary CDC guidance, particularly with respect to face coverings.

## **CONTINUE TO PRACTICE GOOD HYGIENE**

Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.

Avoid touching your face.

Sneeze or cough into a tissue, or the inside of your elbow.

Disinfect frequently used items and surfaces as much as possible.

Strongly consider using face coverings while in public, and particularly when using mass transit.

## **PEOPLE WHO FEEL SICK SHOULD STAY HOME**

Do not go to work or school.

Contact and follow the advice of your medical provider.

## **GUIDELINES FOR ALL PHASES**

# **Employers**

**Develop and implement appropriate policies, in accordance with Federal, State, and local regulations and guidance, and informed by industry best practices, regarding:**

Social distancing and protective equipment

Temperature checks

Sanitation

Use and disinfection of common and high-traffic areas

Business travel

**Monitor workforce for indicative symptoms. Do not allow symptomatic people to physically return to work until cleared by a medical provider.**

**Develop and implement policies and procedures for workforce contact tracing following employee COVID+ test.**

# Phase One

*For States and Regions that satisfy the gating criteria*

## INDIVIDUALS

**ALL VULNERABLE INDIVIDUALS** should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.

All individuals, **WHEN IN PUBLIC** (e.g., parks, outdoor recreation areas, shopping areas), should maximize physical distance from others. Social settings of more than 10 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed.

Avoid **SOCIALIZING** in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing (e.g., receptions, trade shows)

MINIMIZE NON-ESSENTIAL TRAVEL and adhere to CDC guidelines regarding isolation following travel.

## EMPLOYERS

Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.

If possible, **RETURN TO WORK IN PHASES**.

Close **COMMON AREAS** where personnel are likely to congregate and interact, or enforce strict social distancing protocols.

Minimize **NON-ESSENTIAL TRAVEL** and adhere to CDC guidelines regarding isolation following travel.

Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.

# SPECIFIC TYPES OF EMPLOYERS

**SCHOOLS AND ORGANIZED YOUTH ACTIVITIES** (e.g., daycare, camp) that are currently closed should remain closed.

**VISITS TO SENIOR LIVING FACILITIES AND HOSPITALS** should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene.

**LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under strict physical distancing protocols.

**ELECTIVE SURGERIES** can resume, as clinically appropriate, on an outpatient basis at facilities that adhere to CMS guidelines.

**GYMS** can open if they adhere to strict physical distancing and sanitation protocols.

**BARS** should remain closed.

# Phase Two

*For States and Regions with no evidence of a rebound and that satisfy the gating criteria a second time*

## INDIVIDUALS

**ALL VULNERABLE INDIVIDUALS** should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents.

All individuals, **WHEN IN PUBLIC** (e.g., parks, outdoor recreation areas, shopping areas), should maximize physical distance from others. Social settings of more than 50 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed.

NON-ESSENTIAL TRAVEL can resume.

## EMPLOYERS

Continue to **ENCOURAGE TELEWORK**, whenever possible and feasible with business operations.

Close **COMMON AREAS** where personnel are likely to congregate and interact, or enforce moderate social distancing protocols.

Strongly consider **SPECIAL ACCOMMODATIONS** for personnel who are members of a **VULNERABLE POPULATION**.

## SPECIFIC TYPES OF EMPLOYERS

**SCHOOLS AND ORGANIZED YOUTH ACTIVITIES** (e.g., daycare, camp) can reopen.

**VISITS TO SENIOR CARE FACILITIES AND HOSPITALS** should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene.

**LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under moderate physical distancing protocols.

**ELECTIVE SURGERIES** can resume, as clinically appropriate, on an outpatient and in-patient basis at facilities that adhere to CMS guidelines.

**GYMS** can remain open if they adhere to strict physical distancing and sanitation protocols.

**BARS** may operate with diminished standing-room occupancy, where applicable and appropriate.

## Phase Three

*For States and Regions with no evidence of a rebound and that satisfy the gating criteria a third time*

## INDIVIDUALS

**VULNERABLE INDIVIDUALS** can resume public interactions, but should practice physical distancing, minimizing exposure to social settings where distancing may not be practical, unless precautionary measures are observed.

**LOW-RISK POPULATIONS** should consider minimizing time spent in crowded environments.

## EMPLOYERS

Resume **UNRESTRICTED STAFFING** of worksites.

# SPECIFIC TYPES OF EMPLOYERS

**VISITS TO SENIOR CARE FACILITIES AND HOSPITALS** can resume. Those who interact with residents and patients must be diligent regarding hygiene.

**LARGE VENUES** (e.g., sit-down dining, movie theaters, sporting venues, places of worship) can operate under limited physical distancing protocols.

**GYMS** can remain open if they adhere to standard sanitation protocols.

**BARS** may operate with increased standing room occupancy, where applicable.

**APPENDIX**

# Vulnerable Individuals

1. Elderly individuals.
2. Individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma, and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.