

SPECIAL SELECTMEN'S MEETING - TUESDAY, APRIL 14, 2020

5:00PM Executive Session: To hold an executive session, pursuant to 1 M.R.S. section 405(1)(E), to consult with the town attorney regarding the Board's legal rights and duties regarding issues relating to COVID-19, including the enactment of emergency ordinances and orders.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to go into Executive Session. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to come out of Executive Session. Passed unanimously.

6:00 PM – SELECTMEN'S MEETING

Present via ZOOM: Chairman Karl Ekstedt, Selectmen Tim Roche, Kathy Chase, John MacLeod, Sean Roche. Town Attorney Leah Rachin, Social Media Consultant Brittany DiCapua.

Present: Town Manager Jon Carter, Police Chief Jo-Ann Putnam, Fire Chief Mark Dupuis, EMS Director Jim Lapolla

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. Town COVID 19 Update – Update from Town Manager on Town COVID 19 issues from last meeting and BOS continued discussion of Federal and State COVID 19 policies and directions.

a) Update on Governor Mills Orders

Today the Governor extended her civil emergency proclamation for another month. Nothing else has been extended yet. She has issued an executive order moving the June 9 primary to July 14. The Association of Town Clerks wrote to her urging the use of absentee ballots, rather than having people come to polling sites. The Wells charter calls for the annual Town Meeting on the second Tuesday in June. Mr. Carter and Ms. Rachin are working on an order for the Selectmen to move it to July 14.

b) Update on Letter to Governor

Wells and the other communities served by the KKW Water District have written to the Governor asking for a delay in providing summer water service. Portland and South Portland have joined with us.

c) Wells Extension of Temporary Lodging Ban

The Selectmen have extended the ban to May 15 for the 3 categories of temporary lodging. Today two families were observed moving into their Air BnB. People are still trying to get around the Selectmen's order and the Governor's ban.

d) Update COVID 19 Town Impact Fund

The Selectmen previously authorized \$24,000 from the Special Fuel Fund to help people affected by the pandemic. People can donate on the Town's web site by credit card or PayPal. The funds will be used for food vouchers, fuel and other items covered by General Assistance. We are also working with the food pantry at St. Mary's Church. Names proposed for the campaign are We Are Wells and Wells Neighbor to Neighbor. Members of the public were invited to vote for their preferred name during the meeting; Ms. DiCapua will tally the votes on our Facebook page and report the results at the end of the meeting.

e) Planning Phase to re-open the Town

The department heads met today to discuss how to resume normal operations. We are considering apps for the beach stickers. A secure window drop was proposed for people to leave their absentee ballots and real estate tax payments. Plastic sheeting is being considered to separate employees and the public when Town Hall reopens. Car registration renewals and dog licenses can be done on line. People may be restricted to certain days based on the letter of their last name.

Re-opening businesses may take longer than shutting them down. Restaurants and lodging facilities could start at 25% capacity and open gradually. Their employees will be exposed once they reopen to tourists. Business owners are asking for 1-2 weeks to work out staffing, training and resupplying. How will public spaces be cleaned when they reopen? Will foreign nationals be able to come here and work this summer? Masks could be provided at Town Hall and in stores. Members of the public and business owners were asked to provide feedback for the Board. Determinations are made based on information from the doctors and scientists.

Changes for this summer:

- ~No trolley service. This is a not-for-profit activity. It might be premature to cancel service for July & August, but they need time to hire drivers, etc.
- ~The BrewFest and other Town festivals are cancelled.
- ~The Memorial Day parade is in doubt. There might be an alternative event for veterans in the fall tied to the football program, or live streaming a small ceremony in May.
- ~One program at the harbor is the loan of life jackets for children who are fishing/crabbing, etc. The jackets need to be cleaned each time they are returned, and we don't have the personnel to do that.
- ~Summer camp at the Recreation Department may need to have smaller groups.
- ~Real estate taxes: allowing a one month payment delay vs. extending the interest free period. The Board's consensus was to leave the due date as is since many payments are made by banks and mortgage companies from escrow accounts, and extend the grace period.

f) Seasonal lodging extension of stay for 2020 /2021

Can the cottages stay open 2 weeks later this fall and open 2 weeks early next spring? Ms. Rachin said the dates for seasonal lodging are in the Land Use Ordinance. Amending the dates would require a Town Meeting vote, or approval of the Selectmen, Planning Board and Zoning Board without a Town Meeting.

2. Good News

- ~We have a good sized cadre of volunteers helping seniors, delivering meals, repairing mailboxes, doing errands, etc.
- ~Thank you to our Public Safety employees.

~We need to discuss the Air BnBs and establish some regulations. The Executive Order passed by the Selectmen has a fine structure for violations. Ms. Rachin noted that each day of occupancy is a separate violation subject to a fine.

~A shout out to the area restaurants that have been providing lunches to the Senior Center: Stonewall Kitchen, Billy's Chowder House, the Front Porch in Ogunquit, Varano's. Meals are available for curbside pick-up, or volunteers will deliver them.

~Someone placed bunches of tulips around Town over Easter weekend. Thank you to that person for the generous gesture that lifted our spirits.

~The schools will be observing the April Spring Break as usual. There are no spring sports. The teachers and administrators are doing a great job and legitimate learning is happening. All the advance planning is paying off.

CURRENT AGENDA ITEMS

1. ***Review and action on Accounts Payable and Payroll Warrants. None.***
2. ***Update, discussion and action on Committees, Projects, Issues, Purchases and Personnel:***
 - a) ***Discussion and action on the Fire Station Bids received on April 9, 2020. Also present via ZOOM: Ron LaMarre of Lavallee Brensinger.***

Six bids were received:

Benchmark	\$1,585,153
BPS Corp.	\$1,845,044
Jewett Construction	\$1,639,428
Pine Brook Construction	\$1,350,000
Structure Tone LLC	\$1,734,884
TPD Construction	\$1,260,000

The TPD bid is within our budget and includes provisions for future generator pads. They also offer more insulation. There is a deduction of \$120,000 if we choose a smaller building. Bids are usually good for 60 days.

The public safety building is complete except for the landscaping and some canopies to shed the water. Pricing is pending. We are waiting for the driveway permits for the land on Route 109 that will be sold. Sale proceeds will be applied to the fire substation.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize the bid proposal from TPD Construction to be further investigated and brought back as a workshop item for the Board. Passed unanimously.

- b) ***Discussion and action on accepting DuBois & King Inc. structural engineer consultant proposal to 1) evaluate a replacement and optional designs for the Webhannet Seawall that was damaged in the March 2018 storm that is reimbursable by FEMA (\$12,000) and; 2) structural***

engineer assessment and optional replacement and / or repair cost for the Casino Square seawall and the Drakes Island wooden Bridge (\$8,000).

PWD Carol Murray was not available by ZOOM, but she recommends this engineering consultant for these projects. They have expertise with seawalls and bridges, and the price is fair. This may lead to a bond issue in the fall.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to proceed with the two structural engineering proposals from DuBois & King Inc. for a total cost of \$20,000 (\$12,000 from the FEMA Storm Damage Account 0707 and \$8,000 from the Infrastructure FY'20 appropriation.) Passed unanimously.

c) ***Discussion and action on moving forward with improvements to the Handicap Parking area at the end of Drakes Island Road.***

Ms. Murray has obtained quotes of approximately \$7500 for paving and \$2500 for cement work. The proposal is to put up plastic lines for this summer and see how the new configuration works before we stripe it.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to proceed with the project and appropriate up to \$10,000 from the Beach Enterprise account to undertake the project. Passed unanimously.

d) ***Discussion and action on Updates, Personnel and Committee Assignments, Resignations and Issues.***

- a. Town Manager - None
- b. Selectmen - None

e) ***Discussion and action on accepting donations and bequests.***

- 1. \$1,050 in Hannaford Gift Cards received from Greg Baston, Ponderosa Campground, to go toward the COVID 19 Impact Fund.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept the generous donation and write a letter of thanks to the donor. Passed unanimously.

f) ***Discussion and action on approving minutes of April 7, 2020 Selectmen's meeting.***

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the April 7, 2020 Selectmen's meeting minutes. Passed 4-0-1 with Mr. S. Roche abstaining.

NEW BUSINESS**1. Open to the Public**

~Can we fine businesses and lodging facilities that allow out-of-state guests? If anyone comes up after the date of the order without extenuating circumstances, we will fine them.

~When will beaches, campgrounds and other facilities open? May 15 for the beaches and 3 categories of lodging facilities, depending upon the advice from the doctors and scientists. We will review a webinar on Air BnBs developed by Portland and South Portland.

~Will there be tax abatements for property owners who are losing rental income or can't use their seasonal homes? No, the assessment is based on the property value, not the usage.

~Cottages are included with hotels and motels because they have lodging licenses. Their density was approved by the Planning Board.

~Can people come up for a few hours and check for winter damage? Can I come up and paint the inside of my unit? Can I mow the lawn? Can I drop off items? No, stay home. Non-essential travel is prohibited in Maine and Massachusetts.

~Who are we consulting with? Dr. Shah at Maine CDC and Dr. Fauci at the Federal CDC. We are working with adjacent coastal towns to coordinate re-opening when it is safe.

~How can we control weekend campers? The Police Department will enforce the order.

~Why can't I occupy my cottage? There are stay-at-home orders from the Town and State. If someone comes up here, they will have to stay indoors for 14 days. There are no food deliveries here so they would have to bring whatever they need for the duration. We don't have the infrastructure, including grocery stores and hospital beds, to handle an influx of people from other states.

~Do we have enough PPE for Police, Fire and WEMS? They are managing.

~Chief Putnam said if people have serious concerns about their property, the PD will check it for you. Call Wells Police instead of coming up here. They will also check businesses if the owners are concerned.

~How many cases are there in Wells? The CDC releases data by county because of HIPPA regulations. The virus is spreading through all communities in York and Cumberland Counties.

~Selectman T. Roche has suggested that perhaps the 3 season cottages could stay open later this fall and open earlier next spring.

~Can we provide lodging for out-of-state medical workers? If they are legitimate workers they should stay close to that hospital and carry a letter describing their assignment.

~Does Wells have a shelter-in-place? We have a stay-at-home advisory and the Governor has issued an order. We don't know when it will be safe to come here.

~All platforms that rent lodging are prohibited from renting through the emergency. Anyone who notices a violation at an Air BnB, etc. should call the Police business number 646-9354 as soon as possible or email Mr. Carter at jcarter@wellstown.org. The Code Office is assisting the Police with checking. We have found some essential workers staying in lodging facilities as allowed under the order, and they have appropriate documentation. After the emergency the Selectmen may wish to consider a registry like Portland and South Portland.

~The Selectmen are meeting every Tuesday during the emergency. Meetings are available on TownStream and ZOOM, in addition to the regular Wells cable channel.

~Can Swamp John Road be regraded after the rain and limited to local traffic only, and can the speed limit be lowered? The speed limit is set by MDOT. We will address the grading. Swamp John Road rebuild will be on the July 14 ballot. PWD Murray texted that the road will be regraded.

~Can a Wells business go to a seasonal home and do work? If the contractor has a permit, but the owner cannot be there?

~Congratulations to Wells Warrior Matt Tufts who was selected for the Maine Lobster Bowl. The Shriners need to make a decision soon, but as of now the game is still on.

~Mr. MacLeod stressed that we want everyone to be safe, this isn't an "us vs. them" matter.

~What about Wells residents who work out-of-state? They should carry an "essential worker" letter from their employer. The State order defines who is essential.

~The winner of the program naming contest is "We Are Wells".

2. ***Town Manager's Report***

The County Annual Budget Caucus is meeting at 6 PM tomorrow in the courthouse parking lot to hold elections for the Committee. District 5 covers the area from Kittery to Kennebunk. Two positions are filled (Chief Putnam and Mrs. Chase) and there is one vacancy for an elected person.

3. ***Adjournment***

Motion by Mrs. Chase, seconded by Mr. MacLeod, to adjourn. Passed unanimously.

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder