

SELECTMEN'S MEETING (ZOOM) - TUESDAY, MAY 19, 2020

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

Present: Town Manager Jon Carter, Police Chief Jo-Ann Putnam, EMS Director Jim Lapolla Finance Director Jodie Sanborn, Town Engineer/Planner Mike Livingston, Code Enforcement Officer Jodine Adams

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

1. Town COVID-19 Workshop: Update and discussion on 1) proposed emergency ordinance to assist retail and commercial businesses in Wells to encourage outdoor sales when allowed by the Governor: EMERGENCY ORDINANCE TO TEMPORARILY RELAX VARIOUS LICENSING, LAND USE, SIDEWALK, PARKING, AND TRAFFIC STANDARDS CONTAINED IN THE CODE OF THE TOWN OF WELLS TO ASSIST BUSINESSES SUFFERING ECONOMIC LOSS AS A RESULT OF COVID-19 IN A MANNER CONSISTENT WITH THE GOVERNOR'S EXECUTIVE ORDERS AND RE-OPENING PLAN and; 2) Re-establishing the Wells Lodging Facilities Advisory Committee (LFAC) and updating their charge.

a) The Selectmen have expressed interest in an emergency ordinance to relax regulations for retail and commercial businesses and allow outdoor sales once they are allowed by the Governor. An ordinance has been drafted and we propose a public hearing on May 26. It would make it easier for our businesses to operate and decrease the administrative burden on our Code and Planning departments. Ms. Rachin discussed temporarily suspending portions of our code to allow outdoor restaurant seating, sales areas, tent sales, meeting spaces and exercise classes. This is only for existing businesses and those with pending permits. Owners should submit requests to the Town Manager explaining what activities they would like to do and what areas of the property will be used. Public safety must be considered. It will be effective June 1, subject to the Governor's order. Ms. Adams and Mr. Livingston have been contacting restaurants for their input and the response has been positive. Ms. DiCapua will post the information on the Town's web site and social media.

b) Two additional charges for the WLFAC have been added: handling short term rentals and reviewing the current lodging regulations. The Committee would submit their report to the Selectmen by August 25, in time for the November ballot. Mr. T. Roche said that the lodging industry representatives should include people from the 3-season cottages and short term rentals. Anyone interested in serving on the Committee should contact Town Hall for a volunteer application.

2. COVID-19 Update

a. 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.

Maine has increased testing which may help with the quarantine issues. The Governor is opening campgrounds this Friday for Maine residents only, and June 1 for out-of-state residents who must quarantine for 14 days.

b. Update on Governor Mills Orders- Excise Tax

Vehicles must be reregistered “30 days from May 14.” In Wells we have 4,500 vehicles with registrations due from February-May which puts quite a burden on our staff as we reopen Town Hall carefully and safely. We are encouraging on-line registrations.

c. Re-opening the Community discussion of concerns and ideas from the business community

i. Discussion on re-opening - Beach Parking Lots –operation for Memorial Day (5/23) weekend and beyond

The beaches opened May 11 and we expect them to be busy over the Memorial Day holiday. We are working with IF&W on the ROW’s where the birds are nesting. They will be closed to the public until the birds hatch and move, probably mid-June. We may be able to open ROW #14 by the end of this week. Mr. MacLeod and Mrs. Chase said that people should be allowed to sit on the beach as long as they are social distancing. Ms. Rachin said the Board can allow this by amending the motion made previously to open the beaches for limited activity.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to open the beaches for all normal activities, effective immediately.

Discussion: Mr. T. Roche questioned lifeguard staffing, opening the bathrooms, and putting out the trash cans. We have port-a-johns at each location. The trash cans are back. Lifeguards will start working this weekend. Mr. T. Roche asked if we are the only beach in this area that allows sitting. Mr. Ekstedt said that enforcement will be difficult. Mrs. Chase said people have to be responsible for their behavior and watch their children. Chief Putnam said not to burden the lifeguards with enforcement, and her concern is to protect her officers. Mr. T. Roche asked about the Town’s liability if someone claimed to catch the virus from a railing or bathroom. Ms. Rachin said someone might sue and not prevail but we would still have legal costs, etc. Mr. S. Roche was concerned about opening just before the holiday and would prefer to wait until Tuesday. Mr. Ekstedt said that any premature action could lead to a spike in cases later in the summer.

VOTE: Ms. Chase and Mr. MacLeod in favor, with Mr. Ekstedt, Mr. T. Roche, and Mr. S. Roche opposed. Motion failed.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to open the beaches on Tuesday for all recreation. Passed unanimously.

ii. Coastal Community Collaboration

The New Hampshire Governor is keeping the beaches closed for now, and may reopen them in June. The Massachusetts Governor is reopening the North Shore beaches slowly, similar to what we are doing.

iii. Update on Town Facilities Re-opening

Staff safety orientation was held last week and we opened the building Monday. There is a staging area by the back door, and the lifeguards check people in for their appointments, take their temperature and escort them into the building.

Ms. Sanborn reported that we have 215 appointments booked for this week. The General Office can handle only 2 appointments at a time. If both husband and wife have to be on a transaction, they have to book 2 appointments. Registration renewals can be done on line, over the phone or using the secure drop box at the side door. Transactions for the Town Clerk's Office, Code Office and Planning Department can also be placed in the box.

d. Update COVID-19 –We Are Wells Fund

Ms. DiCapua will post the information on Facebook so people can contribute.

3. Senior Needs Committee of Wells and Ogunquit, application for a Blanket Letter of Approval to operate a game of chance. (R)

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize and sign the application for Blanket Letter of Approval to operate a game of chance. Passed 4-0-1 with Mrs. Chase abstaining.

4. Senior Needs Committee of Wells and Ogunquit, Application for Beano / Bingo from June through October, 2020.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize and sign the application for Beano/Bingo for the Senior Needs Committee of Wells and Ogunquit. Passed 4-0-1 with Mrs. Chase abstaining.

5. Good News

~We received thank you letters from people who received assistance from WEMS and the General Office.

Mr. Lapolla said that people are still afraid to call WEMS and go to the hospital. The hospitals and EMS providers know how to deal with safety precautions. If you need WEMS, call them.

6. Open to the Public

~Quarantine: If you come from another state and stay less than 14 days, you must quarantine the whole time. If you stay longer, the quarantine period is 14 days. Bring groceries and everything you will need.

Stay inside. Mr. S. Roche and Mr. T. Roche recommended a letter to the Governor, if someone quarantined 14 days at home and didn't stop along the way, it should count in Maine. They shouldn't have to quarantine again.

~A Maine resident coming in from another state has to quarantine 14 days according to the Governor's order.

~Enforcement of the 14 day rule. The Governor's order calls for community policing, any official is licensed to enforce.

~Is there a task force? We have the Governor, Maine CDC, towns have emergency management and public safety personnel.

~Is there a reduction in campground/park fees if you have to quarantine out of state? That is up to the owner.

~Maine residents can go to their campgrounds this weekend. Out-of-state residents have to wait until June 1.

~Can more than 10 people gather in a parking lot for take-out? For outdoor dining and take-out there should be no more than 10 people, and staying 6 ft. apart.

~Contact tracing and testing are up to the Governor, not the Town.

~If you have to quarantine at home can you do yard work? Stay on your property and have no contact with the public.

~Outdoor dining will be allowed as of June 1.

~The Water District is starting to turn the water on. The District is separate from the Town.

~How to renew a business license? Request an application and mail it back.

~Crowd control at the beach. We will remind people of their responsibilities. It's a challenge at high tide when people have to move closer. When the beaches reopen May 26 the usual regulations will be in force. Lifeguards will start walking on the beaches on weekends only until July 4th. The vendor will clean the port-a-johns; we have a contractor to clean the restrooms once they open.

~Quarantine questions: See the State CDC web site for FAQ's.

CURRENT AGENDA ITEMS

1. Review and action on Accounts Payable and Payroll Warrants.

There is a Warrant dated May 19, 2020 with expenses of \$392,248.33, school payment of \$1,683,283.58, net payroll for the week ending 5/7/2020 in the amount of \$77,123.35, net payroll for the week ending

5/14/2020 in the amount of \$93,741.75, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$ 85,534.66 for total expenses of \$2,331,931.67.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Warrant dated May 19, 2020 in the amount of \$2,331,931.67. Passed unanimously.

There is a General Assistance Warrant dated May 19, 2020 in the amount of \$625 from the We Are Wells Fund.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the General Assistance Warrant dated May 19, 2020 in the amount of \$ 625.00. Passed unanimously.

2. ***Update, discussion and action on Committees, Projects, Issues, Purchases and Personnel:***

a) ***Presentation and discussion and action on signing the Fire Sub Station Contract with TPD Construction of Sanford, Maine. Also present via ZOOM: Fire Chief Mark Dupuis, Steve Dumont of TPD Construction and architect Ron LaMarre.***

Mr. Dumont reviewed the list of deletions, changes and contract clarifications. This brings the bid down by \$60,000 to our target of \$1.2 million.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to award the construction of the Fire Substation to TPD Construction of Sanford, Maine in the amount of \$1,200,000.00 and authorize the Town Manager to sign the AIA Contract with TPD to construct the Fire Substation. Passed unanimously.

b) ***Discussion and action on scheduling a public hearing to enact an Emergency Ordinance entitled: EMERGENCY ORDINANCE TO TEMPORARILY RELAX VARIOUS LICENSING, LAND USE, SIDEWALK, PARKING, AND TRAFFIC STANDARDS CONTAINED IN THE CODE OF THE TOWN OF WELLS TO ASSIST BUSINESSES SUFFERING ECONOMIC LOSS AS A RESULT OF COVID-19 IN A MANNER CONSISTENT WITH THE GOVERNOR'S EXECUTIVE ORDERS AND RE-OPENING PLAN.***

Motion by Mrs. Chase, seconded by Mr. S. Roche, to schedule a public hearing on an “EMERGENCY ORDINANCE TO TEMPORARILY RELAX VARIOUS LICENSING, LAND USE, SIDEWALK, PARKING, AND TRAFFIC STANDARDS CONTAINED IN THE CODE OF THE TOWN OF WELLS TO ASSIST BUSINESSES SUFFERING ECONOMIC LOSS AS A RESULT OF COVID-19 IN A MANNER CONSISTENT WITH THE GOVERNOR'S EXECUTIVE ORDERS AND RE-OPENING PLAN” for May 26, 2020 at 6 PM and to authorize the Town Manager to sign the public hearing notice on behalf of the Selectmen. Passed unanimously.

c) ***Discussion and action on accepting the Town of Wells Internal Pandemic Policy. Also present via ZOOM: HR Director Marcy Faucher.***

Many businesses and towns are developing policies outlining the responsibilities of employers and employees in protecting people and maintaining critical business operations. The Town Attorney has

reviewed our draft policy. Mrs. Chase recommended adding “due to related COVID-19 reasons” to #6 on page 4.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to adopt the Wells Internal Pandemic Policy as amended. Passed unanimously.

d) ***Discussion and action on extending MainePERS to the Public Safety Dispatchers as of July 1, 2020.***

The Police contract we recently signed allows the dispatchers to be covered under the MainePERS 2C Plan as of July 1, 2020. This requires the Selectmen’s approval.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize the signing of the MainePERS agreement to include the Public Safety Dispatchers in the 2C Plan effective July 1, 2020. Passed unanimously.

e) ***Discussion and action on re-establishing the Wells Lodging Facility Advisory Committee and its updated charge.***

The Board would like the Committee to look into the time of use for seasonal lodging, and whether we should regulate short term rentals.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to re-establish the Wells Lodging Facility Advisory Committee and its update charge and to seek interested committee members including representatives from hotels/motels, 3 season facilities, campgrounds and short term rentals. Passed unanimously.

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

None.

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

1. Donation from Bob Sullivan, Director of Operations, Roehm America in Sanford for acrylic partitions for Town Hall and the Library.

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.

h) ***Discussion and action on approving minutes of May12, 2020 Selectmen’s meeting.***

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the minutes of the May 12, 2020 Selectmen’s meeting. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~If a renter of a seasonal lodging facility doesn't quarantine, what should we do? Call the management of the facility and the Police.

~Hotels can take reservations starting June 1. Mini golf and go-cart facilities can probably open now. We don't have a date when public restrooms can open.

~Economic impact on our small businesses? We aren't aware of any that closed permanently. Some of the seasonal businesses may not reopen. Maine Pet Supply has closed their store on Route 109 but their main store in Eliot is still open.

~The department heads meet weekly and we are aware of the possible loss of revenue this summer, also loss of revenue from the State.

~Seasonal property owners still have to pay property taxes.

~Any information on the number of cases in Wells? The State releases figures by county.

~The Maine CDC has a FAQ section on their web site which is kept current. The Town's site is accurate as of the posting date. Quarantine information is based on the Governor's daily briefing.

~Will there be more bike racks at the beach? Yes.

~Staffing at the fire substation? This will be used by the 8 call firefighters who currently use Wells Branch and High Pine. An open house is planned for the new public safety building, possibly this fall.

~Grading Swamp John Road. We have to hire a grading machine and will do the other gravel roads at the same time. At Town Meeting, residents will vote on the bond issue to rebuild the road, Drakes Island bridge and 3 seawalls.

~Essential workers who want to move into a campground should discuss the situation with the campground manager.

~Volunteer applications are on the web site for anyone interested in the Lodging Committee.

~All comments and questions are retained in our records under the Freedom of Information Act.

~Why doesn't the Fire Department respond to medical calls? They were taken off the "difficulty breathing" calls to reduce the amount of exposure. They still respond to other calls.

~The lifeguards will be walking the beaches 9-4 on weekends (Saturdays, Sundays and this Monday) until July 4. The hours will be corrected on the signs.

~Mr. T. Roche asked Ms. Rachin about quarantining for short term rentals. According to the Commissioner, people cannot use the short term rental for the quarantine location. They have to quarantine somewhere else, then go to the lodging.

~Mr. S. Roche asked about the Town Manager application status. Mr. Ekstedt said that he and Mr. Carter expect to resume the process in mid-June. Ms. Faucher has reached out to the initial applicant pool and all are still interested. Mrs. Chase and Mr. T. Roche said we should advertise again.

~Mr. Ekstedt noted that Memorial Day is this weekend and our celebrations will be quite different this year. He asked everyone to remember those we have lost, our veterans and those still serving. Our Elks Club is decorating the graves with the flags the Town bought.

~Mr. S. Roche announced the launch of the Project Stimulus web site. Donations and ticket sales will start tomorrow in coordination with the Historical Society. There are over 75 baskets so far. Families and individuals can do baskets, too. The raffle will be June 18 on Facebook Live.

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

NONE

3. ***Adjournment***

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder