

SELECTMEN'S MEETING - TUESDAY, JULY 21, 2020

5:00 PM Executive Session to discuss a personnel matter regarding the Collective Bargaining Agreements.

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.

5:30 PM Executive Session to discuss FY'21 Compensation increases recommended by PAC, HR and Town Manager pursuant to IMRSA 405(6) (A).

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 Fire Chief Mark Dupuis, Police Cpt. Gerry Congdon, Town Attorney Leah Rachin, New Town Manager Larissa Crockett, Social Media Consultant Brittany DiCapua

Present: Town Manager Jon Carter, Police Chief Jo-Ann Putnam, EMS Director Jim Lapolla, Town Engineer/Planner Mike Livingston, Code Enforcement Officer Jodine Adams, Meeting Recorder Cinni Davidson

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

1. Election of Board of Selectmen Officers -Town Manager leads the Board into a nomination process for 1) Chairman and; 2) Vice Chairman.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to nominate Karl Ekstedt as Chairman. Passed unanimously.

Motion by Mr. MacLeod, seconded by Mrs. Chase, to nominate Tim Roche as Vice Chairman. Passed unanimously.

Mr. Ekstedt introduced the new Town Manager Larissa Crockett who joins us on August 10 and is with us tonight via ZOOM. She is currently serving as Assistant Town Manager in Scarborough.

2. Review of the outcome of the Annual Town Meeting on July 14, 2020.

Selectman Tim Roche was reelected and Brenda Layman is our new Town Clerk. All the warrant articles, CIP items and the school budget passed. Thank you to the residents for their confidence in the Selectmen, Budget Committee and staff. Kudos to the Town Clerk's Office and volunteers for their amazing job managing the election in spite of the pandemic and coping with the volume of absentee ballots. Mrs. Chase

said it was so complicated this year and the process went so smoothly. Mr. T. Roche thanked Tricia Hazlett for running a good campaign and giving the voters a choice.

3. Public hearing to amend the Town of Wells 2020 Beach Parking Pass Policy to include the parking lot parking capacity allowed in each lot established by the Town's Parking and Traffic Committee Report in recognition that the lots have not been laid out to the engineered design for 2020.

The Parking and Traffic Committee has submitted their final report and recommendations for a total of 683 spaces:

Gold Ribbon	30
Harbor Beach	28
Drakes Island Jetty	125 (Jetty Lot)
Mile Road	68
Eastern Shore	200 (at the end of Atlantic Avenue)
Gross Lot	146 (Drakes Island Road)
Casino Square	86

This is about traffic flow and providing spaces for residents, veterans and mooring holders. It has nothing to do with COVID or limiting the number of people at the beach. The Eastern Shore lot is striped; 30 spaces are designated for the mooring holders with day and time restrictions.

The lots have been so full at times that cars have difficulty turning around, traffic backs up into the roads and emergency vehicles would have trouble getting through. The changes became effective when we opened the lots this season.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to close the public hearing and amend the 2020 Beach Parking Pass Policy to include the parking lot maximums in Section 9. Passed unanimously.

4. 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.

i. MUNI Grant Update

We used the grant to hire 5 Beach Ambassadors and hope to hire 5 more. Staff is discussing applying for a second grant to convert the Town Hall meeting room into a media platform so we can do ZOOM and cable all from one camera system.

b. Update on Governor Mills Orders- Request to Tourist Municipalities to assist with different aspects of the amended plan.

The Governor still urges everyone to wear masks. We have had 3 concerts at Harbor Park and people are able to socially distance.

- c. Re-opening the Community discussion of concerns and ideas from the business community*
 - i. Update on Town Facilities Re-opening-Library*

The Library Trustees have accepted the Director's plan and the Library will reopen in early August.

- d. Elimination of the additional authority to the Town Manager under the Town's Emergency Declaration as of 7/22/2020.*

The Board felt that they can eliminate the Town Manager's emergency powers to sign documents when Selectmen could not get into Town Hall.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to rescind the additional list of authorities granted to the Town Manager at the March 17, 2020 Selectmen's meeting as part of the Town's Emergency Declaration, effective 7/22/2020. Passed unanimously.

5. Workshops

Workshop #1: Lodging Facility Advisory Committee Update and Recommendations. (Also present Committee Chair Bob Sullivan)

The Lodging Committee members were reluctant to provide relief to some facilities and not others. The vote was not to change any opening/closing dates for any of the facilities for 2021 or 2022. The recommendation is to leave things as they are. Mr. T. Roche said that if we let some places open earlier the shops and restaurants would benefit from the additional business. There was a lot of confusion about the definitions of different types of lodging facilities and people don't understand why they are treated differently. The impression was that a change would benefit seasonal cottages to the exclusion of other facilities. Mrs. Chase said that the variety of dates evolved over the years and there is no easy fix. Mr. S. Roche said we should go ahead with the proposed change and help some of the facilities, while we continue to work on fixes for the others. Mr. MacLeod asked if changing the dates would affect the residency status of the facility. Ms. Rachin said that residency is defined by statute and occupancy dates don't affect it.

The direction to the Committee was to reconsider the vote at the previous meeting and to look at other categories of lodging facilities to see what relief could be given. Mr. Carter said there is an August deadline for the November ballot. Ms. Rachin asked if the Selectmen were looking for consistency from the Committee. The consensus was that this is a major task for the Committee and the focus for now should be on some short term economic relief. To amend the land use ordinance in November, the Planning Board has to hold a workshop on August 3 and a public hearing on August 17 with a recommendation to the Selectmen. Mr. Livingston asked if the Selectmen would authorize the Committee to forward their recommendation directly to the Planning Board on that timetable. Mrs. Chase said it seems acceptable now since the change of occupancy dates is only temporary. Ms. Rachin recommended a motion that the authority was granted to the Committee.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to grant the authority to the Committee. Passed unanimously.

Workshop #2: Proposed Amendment to Chapter 145 (Land Use) to include Accessory Dwelling Units

ADU's are allowed in all but 3 districts in Town. This amendment would extend them to Res B (Ocean Ave.), Res D (Drakes Island) and the Beach Business (Casino Square) Districts. If the owner occupies the primary residence, an ADU up to 600 sq. ft. could be added. One requirement is that the property owner must secure 2 additional parking spaces for the ADU. The Planning Board has discussed this and scheduled a public hearing for August 3. Mrs. Chase thought that perhaps many of the units at the beach would be rented, while in other districts the units might be used for family members. Many of the lots in those zones are already non-conforming because they pre-date the zoning ordinance, and are too small to provide additional parking. Ms. Adams said the Code Office has already received requests from 2 families who want their parents to move in. Selectmen were concerned about adding more parking in an area that is already stressed, and creating enforcement problems for Wells PD. Mr. Livingston will research how many lots can actually handle the dimensional and parking requirements. It might be possible for some lots at Drakes Island but not Atlantic Avenue or Ocean Avenue.

Workshop #3: Transfer Station Update and Issue with Organic Materials (Leaf, Grass and Brush) Also present via ZOOM: PWD Carol Murray.

There is a tremendous increase in the amount of organic material coming to the Transfer Station. There are up to 15 commercial establishments plus residents who bring in materials, and we may need to restrict the landscape businesses. We removed 4700 cu. yds. of brush and compost in May at a cost of \$15,200. There are about 1500 cu. yds. now, accumulating since the end of May. DEP wants us to stay on the pavement or pave an additional area. The material must be pre-treated before it runs into the wetland areas. We are averaging 10-15 commercial trucks per day plus what the residents bring. The EPA is opposed to burning because of the impact on air quality, and our compost pile is dangerously close to the tree line. Composting takes a lot of work—balancing the brown and green matter, watching the temperature and moisture levels of the pile and turning it regularly. If we expand the area it involves paving, leaching the material and drainage. Mr. MacLeod mentioned the business owners who aren't commercial operators but have small weekend landscaping businesses to supplement their other income. It is a common second job in this community. Ms. Murray will find out how Ogunquit is managing and what the DEP will allow. She has found one vendor who can remove 18-19 cu. yds. per truck at \$130 per load. The total cost would be about \$11,000. We could consider a fee schedule for the green matter and try to break even. The Selectmen would like a workshop on August 4.

Workshop #4: Update on Pocket Park design and cost and determination on how to proceed.

Mr. Livingston has designed an access to Mile Road. We have talked with KK&W; the hydrant can't be moved so we have a plan to widen the sidewalk. Steve Koeninger of U.S. Site Solutions is donating his labor and the Knights of Columbus are donating the flag pole. Ms. Adams prepared a memo for tonight's packets. Possible names for the park were discussed. Mr. T. Roche suggested honoring the Forbes Family for all their contributions to the Town. "Forbes Family Gateway Park" or "Wells Beach Gateway Park" were proposed. The rock wall will have "Welcome to Wells Beach."

Pricing was reviewed. The product for the project, excluding irrigation, will be \$30,270. U.S. Site Solutions is donating \$30,000 worth of labor. The flag pole will cost \$3,000. The Public Works Department will donate product as needed, and the Town will spend about \$55,000. The Selectmen authorized Ms. Adams to move forward with the project.

Workshop #5: Update on potential changes to the Town's towing policy. Also present via ZOOM: Cpt. Gerry Congdon.

Chief Putnam and her staff have obtained important input from the towing companies to revise and update the wrecker policy. The policy is about 10 years old and prices have increased in the interim. The proposed rates are the maximum prices to be charged. There are 4 firms in Town, with Bob's Auto and Grondin's being grandfathered. Grondin's is the closest firm that provides AAA service. In case of an accident, the driver's preferred company is called, or Wells PD will call based on a rotational tow list of the approved firms. If the driver calls AAA, they decide which company to send. For an OAS, OUI or no driver's license, the operator isn't allowed to drive and a wrecker is called unless there is a passenger who can operate the vehicle. The policy calls for a maximum of 5 companies on the list, and if it falls below 3 the Police Chief can approve a company outside of Wells. Chief Putnam said the process is working well and the companies don't get many calls from us.

6. *Good News*

~Chief Dupuis reported that our lifeguards have been quite busy compared to recent years. Some of the lifeguards said there have been more rescues this year than the other 4 years when they worked here. On July 4 and 11 there were rescues of several children and adults who were pulled from an undertow. There have been 12 rescues this month, including some that were after hours. The guards had finished cleaning up and decided to go for a swim before going home. They rescued 4 teenagers who were being pulled out into the jetty.

~We received several letters thanking the lifeguards and Wells PD for doing a great job.

~MDOT is making progress on the light at Routes 109/9A. Bidding is about to begin and the light will be installed next spring.

~Mr. T. Roche reminded everyone that he still brings school lunches to the Public Safety building each day and they are available for the public. The landscaping looks wonderful and people are enjoying the benches. Thank you to the designers and donors.

7. *Open to the Public*

~How many fewer spots will there be for tourists at the beach parking lots?

A 10% reduction for people who pay at the meter.

~What is the job of the Beach Ambassadors?

Walk the beach, answer questions, explain the beach rules, watch the size of umbrellas, not allow devices within 15 ft. of the seawall, maintain social distancing.

~How many LFAC meetings had a member of the Board of Selectmen present? Mr. S. Roche missed the latest LFAC meeting.

~Can the RV parks stay open later this year? Not this year (the vote on the ordinance change is in November), maybe next year. The parks and campgrounds are regulated differently from other lodging facilities.

CURRENT AGENDA ITEMS

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

There is a Warrant dated July 21, 2020 with expenses of \$1,071,101.04, school payment of \$1,693,852.25, net payroll for the week ending 7/9/2020 in the amount of \$102,822.00, net payroll for the week ending 7/16/2020 in the amount of \$100,632.42, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$83,147.77 for total expenses of \$3,051,555.48.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Warrant dated July 21, 2020 in the amount of \$3,051,555.48. Passed unanimously.

There is a General Assistance Warrant dated July 21, 2020 in the amount of \$1,400.00 from General Assistance.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the General Assistance Warrant dated July 21, 2020 in the amount of \$1,400.00. Passed unanimously.

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

a) *Discussion and action to adopt the annual Disbursement Warrant Policy.*

This is an efficiency action that allows the BOS Chairman or Vice Chairman to disburse the warrant for wages and benefits and the CSD#18 education payment.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to adopt the FY'21 Disbursement Warrant Policy. Passed unanimously.

b) *Discussion and action on the Collective Bargaining Agreements.*

The Selectmen held an Executive Session on the 3 remaining agreements. The agreement with the Fire Department was resolved this weekend.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept the agreements as discussed in Executive Session. Passed unanimously.

c) *Discussion and action on the Non Union FY'21 Compensation Plan.*

The Personnel Advisory Committee met last Friday and recommends 3% COLA increases plus market adjustments and bonuses. Thank you to Committee Chair Betsy DiCapua, Committee members and Selectman liaison Mrs. Chase for undertaking this large project and doing a great job.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to adopt the Non-Union Compensation Plan for FY'21. Passed unanimously.

d) ***Discussion and action on moving the Lodging Facility Advisory Committee's recommendation for amendment to Chapter 145 Land Use forward to the Planning Board to review and recommend back to the Selectmen for an article on the November Special Town Meeting Warrant, as well as changes to Chapter 150 (Licenses).***

Motion by Mrs. Chase, seconded by Mr. T. Roche, to table this item. Passed unanimously.

e) ***Discussion and action on proceeding, if possible, with an amendment to Chapter 145 Land Use dealing with Accessory Dwelling Units (ADU) for the November election.***

N/A at this time. This is still at the Planning Board level.

f) ***Discussion and action on scheduling a public hearing to amend Chapter 49 – Personnel regarding the elimination of the MainePERS Cap on Non-Union Employees and adding the vesting periods for the Town's ICMA RC 401plan.***

This amendment would bring the union and non-union benefits and vesting rights in line.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to schedule a public hearing on ZOOM at the August 4, 2020 Board of Selectmen's Meeting at 6:00 PM to amend Chapter 49 – Personnel regarding the elimination of the MainePERS Cap on Non-Union Employees and adding the vesting periods for the Town's ICMA RC 401plan. Passed unanimously.

g) ***Private Power Services, Saco, Maine, application for Pole Location Permit for two poles to be located on Cheney Woods Road, Southwest beginning 140' from Pole #18.***

Motion by Mrs. Chase, seconded by Mr. T. Roche, to grant the pole location permit. Passed unanimously.

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

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

NEW BUSINESS

1. Open to the Public

~Will there be a traffic light at the intersection of Route 109 and Branch Road? MDOT is moving forward with the project. Bidding will take place this fall and they expect to install the light in the spring.

3. ***Town Manager's Report***

~Household Hazardous Waste Collection –August 29, 2020 from 8 AM-1 PM at the Kennebunk Solid Waste Facility on Sea Road.

~CMP will be replacing a number of damaged poles in Town this fall. It will take about 8-10 weeks.

4. ***Adjournment***

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

Respectfully submitted,

Accepted by,



Cinndi Davidson,
Meeting Recorder