

SELECTMEN'S MEETING (ZOOM) – TUESDAY, SEPTEMBER 15, 2020

5:00 PM – Executive Session to discuss with the Town Attorney the appeal of the ZBA decision regarding the Gross Parking Lot pursuant to 1 MRSA 406 (6) (E)

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 Manager Larissa Crockett, Fire Chief Mark Dupuis

Present: Police Chief Jo-Ann Putnam, WEMS Director Jim Lapolla, CEO Jodine Adams, Meeting Recorder Cinndi Davidson

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

Workshop: Lodging Facility Advisory Committee Scope of Work. Also present via ZOOM Town Attorney Leah Rachin, LFAC Committee members Katy Kelly, Ron Avery, Scott DeFelice, Demetria McKaig, Sharon Meyers

Committee members are looking to the Selectmen for some guidance about the scope of the registration program: should it consist of name and contact information only for short term rentals, should it be voluntary or required, is the Board interested in licensing these facilities? Ms. Rachin said there is also the issue of land use, are STR's a change of land use? What about zoning—where in Town would they be allowed? Mr. Ekstedt said this started as a safety issue because we didn't know who was in Town and how to contact owners in an emergency. Collecting the sales tax is not an issue because Airbnb deducts it on properties that use their platform. Mrs. Chase made a distinction between owner occupied homes vs. those that are solely investment properties. Mr. T. Roche asked how enforcement would be handled.

A straw poll was taken. Mr. Ekstedt, Mrs. Chase and Mr. T. Roche favored starting with voluntary registration. Mr. S. Roche said registration should be required. Mr. MacLeod favored a program that would distinguish between owner occupied units and those that are investment properties. Chief Dupuis said the Fire Department doesn't receive complaints on STRs. Chief Putnam said the police are called about parking and noise complaints. If there are several complaints about a certain property they would like to have contact information for the owner. Ms. Adams said the Code Office doesn't receive many complaints. Sometimes people aren't happy with their unit and wait to complain when they leave. Several years ago the Code Office put yellow sheets in the tax bills, asking people to provide contact information. They received several hundred replies and created a data base for emergencies. Ms. Crockett suggested including a link in the tax bills for people to go on line. Ms. Adams said we should offer the service to our part time residents also. The Lodging Committee will work with staff to put a notice in the tax bills giving the link.

1. *Divine Cuisines LLC, dba: Mayan Café & Grill (formerly Tulsi North) 231 Post Road, Wells, Application for a full-time Malt, Wine and Spirits Liquor License. (R)*

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to close the public hearing and grant the license. Passed unanimously.

2. *Good News*

~Activity in Town Hall has been quiet and steady. People are wearing masks.

~Thanks to the school staff and administration for all the preparations they made to reopen our schools. The students are doing well, no incidents regarding masks.

3. *Open to the Public*

~Mr. Ekstedt noted the anniversary of 9/11 last week and how that horrific event brought our country together. Let's hope we don't need another event to bring us together again.

~There have been comments with interest in the work of the LFAC.

~There were requests for PSA's on smoke and CO detectors. Ms. Crockett said there can be a question on the yellow sheet, asking if people need smoke detectors. The Code Office and Fire Department will help people with replacements.

~We don't know how many STRs there are in Wells and who owns them.

CURRENT AGENDA ITEMS

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

There is a Warrant dated September 15, 2020 with expenses of \$859,789. 57, school payment of \$1,693,852.26, net payroll for the week ending 9/3/2020 in the amount of \$98,814.53, net payroll for the week ending 9/10/2020 in the amount of \$94,768.54, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$80,153.83 for total expenses of \$2,827,378.73.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Warrant dated September 15, 2020 in the amount of \$2,827,378.73. Passed unanimously.

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

a) *Update in the Fire Substation: Chief Dupuis*

The building is enclosed and interior work has started. The electrical and HVAC work will be done next week. Paving and the lawn will be done soon. The doors don't face Route 9 because this driveway design provides more space for the trucks to turn around and back in. It's a better design on a road like this. The trucks can still get out quickly. Although the doors face north, they will be insulated and the overhang prevents a buildup of snow and ice.

b) *Update on 1710 House repairs: Ms. Adams*

The bid was given to North Shore Construction for \$18,950. The roof will be reshingled and hand nailed with period nails. The mud room put on the back in 1970 will be removed. The PWD is removing some trees and the old foundation. The greenhouse window will be infilled with a period window. The final cost is estimated at \$24-25,000. CIP allocated \$45,000. The old cedar shingles in back will be replaced with clapboard to match the front.

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

1. *Selectmen*

i. *Comprehensive Plan Update Committee Resignations:*

- a. Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept Ina Toth's resignation from the Comprehensive Plan Committee. Passed unanimously.
- b. Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept Robert Sullivan's resignation from the Comprehensive Plan Committee, Planning Board and Lodging Facilities Committee. Passed unanimously.

Both resignations were accepted with regret and with gratitude for all their efforts and the many contributions they have made to the Town.

ii. *Appointment of new members to the Comprehensive Plan Update Committee.*

The consensus was to table this item and allow more time to interview candidates.

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

Ms. Crockett will advertise the positions.

iii. *Appointment of Jeff Harrington to the WEMS Board of Directors with term to expire December 2020.*

Motion by Mrs. Chase to appoint Jeff Harrington to the WEMS Board of Directors with term to expire December 2020.

Discussion: There are 5 Board members and Tom Oliver would like one more to avoid a tie vote, since Mrs. Chase as Selectman liaison does not vote. Marjorie Page will be leaving at the end of her term, and Dr. Terry

Farrell's position hasn't been filled yet. All the terms are for one year and members are reappointed together each December. The Selectmen questioned why they are being asked to vote for an individual they haven't met and interviewed. The WEMS bylaws are written that way. Mr. Lapolla offered to arrange a workshop with the Selectmen and WEMS Board of Directors.

The motion was seconded by Mr. T. Roche. Passed 4-0-1 with Mr. MacLeod abstaining.

d) ***Discussion and action on approving minutes of September 1, 2020 Selectmen's meeting.***

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the minutes of the September 1, 2020 Selectmen's meeting. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~Will the Town replace the street sign at the corner of Atlantic Avenue and Devito Court? Yes.

~Mrs. Chase asked if the next Selectmen's meeting can be live since many places are opening again. Mr. S, Roche thought we should wait until the technology quality improves, it would be hard to control the number of people in the room, and people are enjoying ZOOM. Chief Putnam said we can still do Facebook in the meeting room with the Selectmen present. Ms. Crockett said we would drop ZOOM and go to Facebook Live when the Selectmen are back here. The audio would probably improve. The limit would be the Board and staff seated around the conference table and 6 members of the public safely distanced. Ms. Crockett suggested developing a plan to come back when York County goes green, and continue the current system while the county is yellow. People in the building will be required to wear masks. Mrs. Chase refused to wear a mask in the building. The policy is that members of the public and staff who interact with them must be covered.

2. Town Manager's Report

~Kudos to the Parks & Recreation Department for doing a great job with the all day program for kids now that the schools are in hybrid.

~We received a safety incentive program award from the Workers Compensation Fund. This will save on our workers comp. premiums.

~Swamp John Road has been paved; this will get us through the winter until we can start the next phase of the reconstruction.

~Starting Tuesday, October 6 our Facebook Live stream will go to the Town Facebook page. Thank you to Officer Chris Baez for all his work keeping residents connected to Town government during the pandemic. Notices will be posted on the Town Facebook, Police Facebook and the Town website. There will be a notice on the Police Facebook at 6 PM reminding people to switch.

3. *Adjournment*

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder