

SELECTMEN'S MEETING - TUESDAY, APRIL 7, 2020

6:00 PM – SELECTMEN'S MEETING

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

Excused: Selectman Sean Roche.

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

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. Public Hearing for the Joint Budget Committee and Board of Selectmen FY'21 Budget and Warrant Articles. Present via ZOOM Budget Committee Chairman Ron Schneider.

Mr. Carter summarized the highlights of the proposed FY 2021 budget. Benefits have been moved into Salaries. Operating expenses are up about 20 % because of debt on the bond. The warrant articles are up because of several conservation purchases and the repairs to Swamp John Road. CIP is down by about 22%. The overall budget is up 9.24% and we are under LD-1 by \$174,000. The estimated county tax is \$1.8 million and the school budget is \$20,608,000. The estimated tax rate is \$10.75. Mr. Ekstedt thanked everyone involved in the budget process. Mrs. Chase was the Selectman liaison and was impressed with the Committee's work. Mr. Schneider thanked his colleagues on the Committee.

There were no public comments via social media.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and move the FY'21 Municipal Budget Financial Warrant Articles, including the Swamp John Road article, to the certification and Warrant signing phase for the June 9th, 2020 Town Meeting. Passed unanimously.

2. Public Hearing on a Consent Agreement to resolve a Town Beach Right of Way encroachment between the Town and David Giarusso, Jr. on ROW # 2 on Moody Beach.

Recent improvements to Mr. Giarusso's property encroach on part of the Town's access way to the beach. A fence and other improvements were located in the encroachment area at the time he purchased the property. Mr. Giarusso has spent significant time and money in beautifying his property and wishes to keep the improvements in exchange for allowing public access to the beach and use of certain portions that he owns. The encroachment does not interfere with beach access.

There were no public comments via social media.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and approve the Consent Agreement. Passed unanimously.

3. ***Informational Session on the 2020 Parking and Traffic Study Report. Also present via ZOOM: Committee Chairman Betsy DiCapua.***

The Committee has been working since last August with the Town Engineer and a traffic engineer. Beach parking lots were reviewed and redesigned, and the Committee made recommendations for amending the Traffic and Sidewalks ordinances. Mrs. DiCapua said that all areas of Town were represented and the process worked very well. The traffic engineer prepared cost estimates for the proposed work. Mr. Carter recommends that work on upgrading the lots should be put on hold in the interim, except for the handicap spaces at the Drakes Island Road lot. The Board can proceed to schedule a public hearing on the ordinance changes. Police Cpt. Gerry Congdon has reviewed and clarified the language of the ordinances. The existing ordinances are confusing and difficult for the police to enforce. Encroachments along Atlantic Avenue make it difficult and dangerous for pedestrians. All 19 beach ROW's have issues with drop-offs. The Committee's recommendations to the Selectmen are listed on page 8 of their report. Mr. Ekstedt thanked Mrs. DiCapua, Cpt. Congdon and the Committee members for their work. It is late in the season to make capital changes to the parking lots, but the ordinance changes and preparation of a brochure can proceed. The public hearing will address only the ordinance changes. Upgrading the handicap spaces at the Drakes Island lot and modifying Riverside Drive will be separate agenda items.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing on amending Chapter 212 (Vehicles and Traffic) and Chapter 201 (Sidewalks) to be held on April 21, 2020 at 6 PM in the Littlefield Meeting Room, 208 Sanford Road and/or by Zoom Meeting. Passed unanimously.

4. ***Informational session on the 2020 Beach Parking Pass Policy.***

This was part of the parking study with the assistance of the Finance Director and Parking Enforcement Officer. The policy includes: definitions of who can purchase a pass, setting the rates at \$4 per hour and \$40 for a season pass, setting the beach parking lot hours at 8 AM to 8 PM, and preparation of a brochure. One of the controversial items for discussion is the parking at Eastern Shore for mooring holders on weekdays and weekends. Ms. Sanborn said that passes can't be sold until the price is set. Usually they start to issue them in May. To be resolved this year—when will people be allowed in Town Hall and how many people can be inside at a time? Purchasing by mail is encouraged. Mr. Roche asked about the spaces for mooring holders. Weekdays: 10 spaces for mooring holders and 20 for resident beach parking pass holders. Weekends: 15 spaces for residents and 15 spaces for mooring holders.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing on the 2020 Beach Parking Pass Policy to be held on April 21, 2020 at 6 PM in the Littlefield Meeting Room, 208 Sanford Road and/or by Zoom Meeting. Passed unanimously.

5. ***COVID 19 Pandemic Update***

Mr. Carter thanked Attorney Rachin for her work preparing the emergency orders. Bar Harbor liked ours and adopted it. Enforcement is “interesting and challenging”; there was an incident at the beach over the weekend and we expect these problems to continue as the weather improves. There have

been tailgating issues at the parking lots. The lots are open for people to drive through and look at the ocean, but stopping is not allowed.

At the Governor's press conference today she indicated that the State primary will probably be moved to July 14. The impact for us is that next Friday is the deadline for filing papers for Town Meeting (60 days prior to the June 9 vote). If the Governor issues an order, it would move everything by one month. In person vs. absentee voting is still to be determined.

Mr. Roche asked if we are staying with the May 1 opening date. People are making travel plans, having vehicles shipped, etc. How can we open for business and not have an election? April 30 is the date set in the emergency order, subject to change as conditions develop. Ms. Rachin noted that extending the order is not on tonight's agenda and the Board may want to schedule a vote for next week. The Town's order can be more restrictive than the Governor's order for the State. The comments on social media are heavily in favor of extending the deadline.

Motion by Mrs. Chase, seconded by Mr. Roche, to extend the emergency order closing facilities until May 15. Passed unanimously.

The Town is starting a fund to help people who are unemployed. There has already been a donation of food gift cards. After discussions with the Finance Director and General Assistance Administrator, Mr. Carter is asking the Board to use half of the Special Fuel Fund (half of \$47,891) and put an app on social media for fundraising.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the special fund to help people through the COVID 19 emergency, to use half of the funds in the Special Fuel Fund, and to purchase a social media app to accomplish this. Passed unanimously.

Mr. Ekstedt said that many people in Town can use extra money, and if you don't need your \$1200 check it would be a great way to help your neighbors. It isn't clear yet what SBA loans will be available to our businesses to continue paying their employees.

Mr. Roche noted that the hospitals are losing money because elective procedures are being cancelled. York Hospital has moved the ERGent Care staff to the hospital where they are needed. The lab is still open, and people are screened when they come in. Our ambulance service is not affected and they continue to do a great job.

6. *Good News*

~There was a lot of activity on Wire Road and people wondered about all the emergency vehicles. Jim Moulton, a lieutenant with the North Berwick Police Department, retired and the Public Safety Departments gave him an escort home.

~There have been a lot of letters and social media comments thanking WEMS and the Selectmen for their good work.

~Thank you to the local restaurants who provided meals for our seniors: Stonewall Kitchen, Varano's, Billy's Chowder House, Love of Food & Drink. If you can't pick up meals, volunteers will deliver them. Masks are available at the Senior Center. Messages can be left for the Center staff at 646-7775. The volunteer helpers have been vetted by HR; they will deliver meals and prescriptions, repair mail boxes, etc.

~Thank you to the school department personnel for the bag lunches. Extra lunches are delivered to the Police Station for anyone who needs them. The school is also preparing hot lunches on Fridays for the students. Thank you to Shields, Stonewall Kitchen and Congdon's for helping with the lunch program.

The distance learning is working well. The teachers and students are making a special effort. The April spring break is still on as scheduled; everyone can use a break right now.

~Thank you to Lowe's, Aubuchon, Congdon's and Dollar General for providing gloves and cleaning supplies to the Police Department.

~Mr. MacLeod noted that one year ago today, Justin Perry lost his battle with cancer. The people who knew him are thinking of him today.

~Mr. Ekstedt reported that the Code Enforcement Office is doing well and certificates of occupancy are being issued. Banks require these for the closings. He thanked all the department heads and their staffs.

~Chief Putnam reported that there is a full moon tonight. Don't drive to the beach.

7. ***Open to the Public***

~The emergency order includes a reference to second homes/seasonal homes. This also applies if someone's legal residence is in Wells and they are currently in their second home out of state. People should stay where they are, considering the orders in the state where they are and the states they would travel through to get here. This is consistent with the Governor's order.

~Is there RV parking at the Gross Lot, and if we eliminated that, would there be more room to park cars? RV's are not allowed there. There are spaces for 146 vehicles.

~Can Wells residents purchase beach passes on line? There is information on our web site. The pricing will be set on April 21, then we will work out the logistics.

~Can people park at the beach? Chief Putnam said everyone should stay at home except for groceries, pharmacy purchases and caring for someone. It's OK to drive through a beach lot, but the order is no parking and no tailgate parties.

~How many spots are reserved for mooring holders at Eastern Shore? This will be determined on April 21. It's complex because boating and beach going are activities dependent on the tides. The draft policy reads: weekdays-- 10 spaces for mooring holders and 20 for resident beach parking pass holders. Weekends: 15 spaces for residents and 15 spaces for mooring holders.

~Does the extension to May 15 apply to hotels too? Yes, except for essential workers who are staying there.

~Would we consider a curfew? We don't need one. It's quiet at night.

~The order applies to seasonal units, cottages and park models.

~The Transfer Station has returned to their regular hours. They are still accepting recycling materials. Mr. Carter contacted the reporter at the Press Herald and corrected their information. The Governor cancelled her order on shopping bags because the stores won't accept reusable bags.

~Extending the order to May 15 will be revisited each week.

~Is there a plan for designated parking spots at the beach? This will be discussed at the public hearing.

~The State has issued letters to people considered essential workers and they should carry the letters in case they are stopped and questioned. The hotels should check the letters too. Chief Putnam said the hotels should open for medical workers only, not construction or landscaping.

~Mr. Roche thanked the people cleaning up veterans' graves and picking up trash along the roads.

CURRENT AGENDA ITEMS

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

There is a Warrant dated April 7, 2020 with expenses of \$605,794.83, no school payment, net payroll for the week ending 3/19/2020 in the amount of \$76,592.28, net payroll for the week ending 3/26/2020 in the amount of \$75,059.69, net payroll for the week ending 4/2/2020 in the amount of \$78,968.32 and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$95,586.34 for total expenses of \$932,001.46.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated April 7, 2020 in the amount of \$932,001.46. Passed unanimously.

There is a General Assistance Warrant dated April 7, 2020 in the amount of \$2,842.01 consisting of \$1,500.00 for General Assistance and \$1,342.01 from the Special Fuel Fund. The balance in the Fund is \$47,891.33.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated April 7, 2020 in the amount of \$ 2,842.01. Passed unanimously.

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

a) ***Discussion and action on signing 2020 Annual Town Meeting warrant (FY'21 Municipal Budget, Financial and Non-Financial Articles) and finalize the Town Meeting Warrant Book for mailing.***

The June 9 primary may be postponed until July 14. Based on the deadlines in our charter, we should move the warrant and not set the dates, pending an order from the Governor. We should still meet our April 10 deadline just in case.

Motion by Mrs. Chase, seconded by Mr. Roche, to sign the 2020 Annual Town Meeting Warrant (FY'21 Municipal Budget, Financial and Non-Financial Articles) and finalize the Town Meeting Warrant Book for mailing, for the Town Meeting to be held on June 9 or whenever set by the Governor. Passed unanimously.

b) ***Discussion and action on setting Public Informational Hearings on the FY'19 Municipal Budget and Warrant Articles.***

Motion by Mrs. Chase, seconded by Mr. Roche, to table this item to the April 14 meeting. Passed unanimously.

c) ***Discussion and action on abatements on Personal Property and Real Estate.***

The Finance Director submitted a list of outstanding tax accounts from a Town property purchase and 12 campground RV's that have been removed from Town.

Motion by Mrs. Chase, seconded by Mr. Roche, to abate taxes in the amount of \$16,617.91 on the list of properties submitted by the Finance Director. Passed unanimously.

d) ***Discussion and action on the negotiated Police Labor Contract for the period July 1, 2020 - June 30, 2023.***

Mr. Carter reviewed the summary of proposed changes for a 14.60% increase over 3 years. Mr. Ekstedt thanked the officers and negotiating team for a job well done.

Motion by Mrs. Chase, seconded by Mr. Roche, to have the Board of Selectmen ratify the Police labor contract for the contractual period July 1, 2020-June 30, 2023. Passed unanimously.

e) ***Discussion and action to award the 2019 Town Report Printing Contract.***

	2020 BID	2019 BID
RAM Printing	\$1872.33	\$1731.37
Xpress Copy	\$2500.00	\$1759.00

Motion by Mrs. Chase, seconded by Mr. Roche, to award the bid for printing of the 2019 Town report to RAM Printing. Passed unanimously.

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

1. Town Manager

- a) Appointment of Firefighter Zachary Litvinchyk.

2. Selectmen

- a) Motion by Mrs. Chase, seconded by Mr. Roche, to appoint the election clerks for the June 9, 2020 State and Municipal Elections, as submitted by the Town Clerk. Passed unanimously.

- b) Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Kaitlyn Bennett as a regular member to the Conservation Commission, with term to expire March, 2023. Passed unanimously.

- c) Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Susan Pike to the Shellfish Conservation Commission, with term to expire March, 2023. Passed unanimously.

g) ***Discussion and action on approving minutes of March 31, 2020 Selectmen's meeting.***

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the March 31, 2020 Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

1. ***Open to the Public***

~There was a question on social media about the beach closing date.

Motion by Mrs. Chase, seconded by Mr. Roche, to continue to keep all the beaches closed until May 15. Passed unanimously.

~There are several major holidays in the next few weeks: Passover, Easter and Ramadan. Regular observances are disrupted this year in an effort to stop the pandemic. We hope that everyone will be able to modify their celebrations and stay safe.

2. ***Town Manager’s Report***

~The ER part of Wells ErGent Care is closed and being moved to York.

~Spectrum is temporarily closing their Moody office because it is so small and crowded. Customers are referred to their Saco office, or people can go on line.

~Mr. Roche said that the decisions we are forced to make are difficult for everyone. The only way to stop the pandemic is social distancing. We can’t have people coming here now because we can’t provide them with food and medical care. We love the summer tourist season but we can’t risk people trying to find loopholes in the orders. Mr. MacLeod said we all have to take the orders seriously for public health. They will be enforced. Mrs. Chase said we are trying to end the epidemic as soon as possible and thanked all the workers on the front line. Mr. Ekstedt thanked everyone who is participating in this effort.

3. ***Adjournment***

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder