

SELECTMEN'S MEETING (ZOOM) - TUESDAY, APRIL 21, 2020

6:00 PM – SELECTMEN'S MEETING

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

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

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. Public hearing on amending Chapter 212 (Vehicles and Traffic) and Chapter 201 (sidewalks) to be held on April 21, 2020 at 6PM in the Littlefield Meeting Room 208 Sanford Road and/ or by Zoom Meeting. Also present via ZOOM: County Commissioner Richard Clark, Police Captain Gerry Congdon, Parking Enforcement Officer Sally Stewart.

Mr. Carter reviewed the ordinance changes to Chapter 201 Sidewalks. Activities such as roller skating, skateboarding, bicycling, etc. are prohibited on sidewalks, with the exception of devices to assist people with mobility impairments. Cpt. Congdon updated the definitions in Chapter 212 and drafted most of the revisions. Mr. Carter recommended postponing changing Riverside Drive to a one-way street until the residents have the opportunity to comment. Designating the east side of Webhannet Drive as a parking zone will be addressed later. Illegally parked vehicles can be towed if they create a hazard or obstruction. A collection agency may be used to collect unpaid fines, and the agency fee will be added to the amount of the fine. Board members discussed small children riding tricycles on a beach side walk with a parent's supervision. Everyone's safety is a concern— pedestrians on a crowded sidewalk, and not having the child ride in the road. The Police will use their discretion.

Public comment was solicited:

~How can the neighbors get a stop sign at a dangerous intersection?

If it's a subdivision, stop signs are on the site plan. In other neighborhoods the residents can discuss it with the Police Department.

~Where are bicycles prohibited from sidewalks? On the raised sidewalks.

~Can we add bike lanes to our roads? The Town is working with MDOT. A road would have to be wide enough for safe travel.

~There is handicap parking at all the beach lots.

~Personal Assistive Mobility Devices are designed to be used on sidewalks, in buildings, etc.

~Bidding for the Harbor Road sidewalk will probably be done this fall.

~Mr. S. Roche asked about children playing in the side roads at the beach. These are small streets with little traffic. Drivers are expected to use common sense.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to close the public hearing and approve the amendments to Chapters 212 and 201 as discussed during the public hearing with the following

changes: bicycles are not allowed on raised sidewalks and the changes to Riverside Drive and Webhannet Drive are deleted. Passed unanimously.

Many thanks to the members of the Parking and Traffic Committee for the time and effort they put into this project.

2. *Public hearing on amending the 2020 Beach Parking Policy to be held on April 21, 2020 at 6PM in the Littlefield Meeting Room 208 Sanford Road and /or by Zoom Meeting. Also present via ZOOM: County Commissioner Richard Clark, Police Captain Gerry Congdon, Parking Enforcement Officer Sally Stewart.*

Changes proposed for this year are:

- ~\$40 fee per vehicle (eliminates the \$45 fee for each additional vehicle)
- ~Time share ownership: \$40 per vehicle per week when the unit is occupied.
- ~Purchases start the first Monday in May. Real estate taxes cannot be in arrears.
- ~One sticker at \$40 for a mooring holder. May park in any available space in the Eastern Shore lot. 30 spaces are designated for mooring holders and taxpayer beach stickers. On weekdays 10 spaces will be reserved for mooring holders, and 20 for taxpayer beach stickers. On Saturday and Sunday, 15 for mooring holders and 15 for taxpayer beach stickers.
- ~Meters: \$4 for each token for each hour, from 8 AM to 7 PM. Parking is free after 7 PM, and the lots close at 11 PM.
- ~5 handicap spaces are added at the intersection of Drakes Island Road and Island Beach Road.
- ~Mr. S. Roche asked about parking for veterans. Two spaces will be reserved in each lot.

Public comment was solicited:

- ~Parking for charter boat owners and their customers. The operators will get their mooring stickers. Customers can pay at the Eastern Shore, or park for free at Harbor Park and have the boat pick them up at the Western Shore. Mr. T. Roche suggested that all customers should park at the Western Shore to save space at the Eastern Shore lot.
- ~Vehicles with handicap plates or cards park for free and don't need a sticker.
- ~Since 10% of the spaces in each lot are reserved for beach stickers, the lot attendants will have to monitor the reserved spaces. Everyone else will use the meters.

- ~There are no lifeguards at the beach after 7 PM.
- ~Are dogs allowed on the beach? Dogs must be on a leash and are allowed after 6 PM and up to 8 AM.
- ~Ms. Sanborn described the program with Riden Decal for people to purchase stickers on line starting May 1. The Finance Department and Police Department will be able to access the information. Riden will mail the stickers to the address provided. The Town provides Riden with a data base, and the individual enters the account number from the tax bill. If a new resident

hasn't received a tax bill yet to prove ownership, the Assessor's Office will have their information.

~Can we limit the hours at Casino Square? The Town shares that lot with Lafayette.

~The pass is called the "Taxpayer Seasonal Beach Pass" and is for taxpayers, not just residents.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to close the public hearing and approve the Beach Parking Policy for 2020 with the addition of 2 spots in each parking lot designated for veterans. Passed unanimously.

3. William Irish, dba: For The Love Of Food & Drink, 2073 Post Road, Wells, application for a full-time Malt, Vinous & Spirituous Liquor License. (New)

AND

4. William Irish, dba: For The Love Of Food & Drink, 2073 Post Road, Wells, application for a Special Entertainment Permit. (New)

Public comment was solicited and there was none.

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

5. 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.

Mr. Ekstedt thanked everyone who sent kind messages and appreciates what we are trying to do to keep everyone safe. He was appalled at the rude comments about the Town Manager and informed the public that Mr. Carter reports to the Board of Selectmen, and the Board sets the guidelines to be followed. The Board supports his actions and he should not be a target.

a. Update on Governor Mills' Orders

She has issued a "no eviction" order. The State primary date has been moved to July 14. Other orders such as stay-at-home and closing lodging facilities expire at the end of the month, and the municipalities have asked when she will decide whether or not to extend them. The deadline is one week away.

b. July 14, 2020 Town Meeting BOS Order

Tonight the Board will act on moving our Town Meeting to July 14.

c. Short term rental registration program

We are looking into a program that Portland and South Portland are using to identify and register these properties. As of April 1 we had 566 of these in Wells, mostly houses and condos using different rental platforms.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize the Town Manager to continue investigating this program and report back to the Board. Passed unanimously.

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

Eleanor Vadenais of the Chamber of Commerce polled Chamber members and other businesses in the community and submitted an 8 page report to the Board. The report contained good feedback. Mr. T. Roche noted that many businesses aren't Chamber members and asked them to e-mail Mr. Carter with their ideas. Mr. Ekstedt noted that we need to coordinate with other towns and New England states on re-opening so there isn't an influx if one place opens early. Our restrictions can be more stringent than the Governor's orders, not less. One possibility for phased "re-opening" is to open the beach for walking. One comment from business owners is that they would rather stay closed longer, and be able to stay open once they reopen. They are dealing with resupplying, hiring staff, etc. and it would be difficult if the virus spikes later in the season and they had to shut down again. Mr. T. Roche asked everyone to stop targeting vehicles with out of state plates; they may have a legitimate reason for being here and the "us vs. them" mentality isn't helping.

e. Update COVID 19 We Are Wells Fund

Ms. DiCapua put a link on the Town of Wells page and people can donate by credit card or by mailing a check to Town Hall. We have already raised \$4700. People who need financial help can e-mail our General Assistance Administrator Laurie Lord. We have GA, the special home heating fund and now the COVID 19 fund. St. Mary's food pantry is doing well but their tithing fund for home heating is depleted. They serve people in Wells and Ogunquit and you do not have to be a church member to receive help.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to donate \$2500 to St. Mary's for their home heating program. Passed unanimously.

6. Good News

~Thank you to our first responders, FD, PD, WEMS, hospice workers. Members of the Fire Department put on a birthday parade for a delighted 10 year old boy, and helped a resident with her smoke alarm.

~Thank you to all the Town employees who are keeping the Town functioning and providing essential services.

7. Open to the Public

~Please explain essential travel. The Governor's order covers workers performing essential services, travel to obtain necessary supplies or services for health or safety such as food shopping, obtaining

medication and medical supplies, obtaining medical care, caring for an elderly or ill person, obtaining meals. The penalty for a Class E offense is up to 6 months in jail or a \$1,000 fine.

~Will the campgrounds open May 15 or will that date be extended? The Town might extend it. We don't know what the Governor will do. Most of her orders end April 30.

~Can the beach be open for residents only? Not now. There is a non-essential travel ban and the beaches are closed. If someone has a house at the beach they can walk in front of their house, but the public ways are closed. We are cooperating with NH, MA and local towns in ME about when we all can reopen safely. We don't want to create chaos in one area.

~When RV parks and campgrounds reopen, will the season be extended? The Selectmen are looking into an extension in the fall and opening early next spring. Dates for the season are set in each site plan and would require Planning Board approval to change them. Our Attorney is looking into a way we can grant a temporary extension.

~Can people sit in a parked car and look at the ocean? Harbor Park is open. People can walk around but this is not a recreational area. Driving through parking lots is not essential travel. The Police check on parking in lots; some may be legitimate and they will deal with the violators.

~When are taxes due? Interest will not accrue until June 26 if that change is approved tonight.

~Restrictions on lodging facilities are in both the Town's order and the Governor's order, and apply whether you rent or own your unit.

~Are campground owners eligible for emergency funds? Contact to Sen. Collins' or Senator King's office or the SBA.

Why will short term rental properties be registered? We need to know where they are. There is a lodging order in place now. Properties need to meet the health and safety standards we require of all lodging facilities and pay their fair share of taxes. Some of these properties have been advertising to "come to Wells and quarantine in safety" while our other lodging facilities are complying with the order to close.

~Can we come up and work on our unit? No. Why can't we come up here and quarantine? There is a ban on non-essential travel. If people come up to open their second home, the Police will check on their activity and whether they quarantined, and they may be ticketed.

~What is going on at the Olympia Sports building? The Red Cross has been using it for a blood donation center.

~Is there any tax relief for the owners of rental properties who are losing income? There may be some federal funds.

~Is salt water fishing allowed? At the Harbor.

~The Police Department will check properties if the owners are concerned. Call the non-emergency number.

~Ms. Rachin referred people to Chapter 14 the Town's Emergency Management Ordinance for more information.

CURRENT AGENDA ITEMS

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

There is a Warrant dated April 21, 2020 with expenses of \$613,364.62, school payment of \$1,683,284.00, net payroll for the week ending 4/9/2020 in the amount of \$81,644.59, net payroll for the week ending 4/16/2020 in the amount of \$76,407.46, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$ 63,940.00 for total expenses of \$2,518,640.67.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Warrant dated April 21, 2020 in the amount of \$2,518,640.67. Passed 4-0-1 with Mr. MacLeod abstaining..

There is a General Assistance Warrant dated April 21, 2020 in the amount of \$153.41 from the Special Fuel Fund. The balance in the Fund is \$46,849.32.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the General Assistance Warrant dated April 21, 2020 in the amount of \$ 153.41. Passed unanimously.

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

a) ***Discussion and action to issue Emergency Order to reschedule the June 9, 2020 Town Meeting to July 14, 2020 and to amend the Town Meeting Document to reflect that date; and to approve an Order to Postpone Date when interest will be applied to Late Payments of Second Property Tax Installment due April 11th from May 26,2020 to June 26,2020.***

Mr. S. Roche asked if one Selectman's term would be extended by a month if the Town Meeting is postponed. Ms. Rachin said there is a holdover provision and he can continue to serve until the Meeting.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the Emergency Order to reschedule the June 9, 2020 Town Meeting to July 14, 2020 and to amend the Town Meeting Document to reflect that date; and to approve an Order to Postpone Date when interest will be applied to Late Payments of Second Property Tax Installment due April 11th from May 26, 2020 to June 26, 2020. Passed unanimously.

b) ***Discussion and action on the request by Walden Solar Maine for the First Amendment to Memorandum of Solar Lease Agreement and the Assignment and Assumption of the Solar Lease for the 9B Landfill site to Littlefield Solar LLC.***

Our original agreement with Walden Solar Maine allows them to assign their lease with the Town's permission. The only change is the new tenant, Littlefield Solar. All other terms and conditions remain the same and Ms. Rachin said that this type of assignment is quite common.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to authorize the Town Manager to sign the First Amendment to Memorandum of Solar Lease Agreement and the Assignment and Assumption of Solar Lease from the brownfield site. Passed unanimously.

c) ***Discussion and action to approve Quitclaim Deeds for the following properties that had a foreclosure date of February 27, 2020. The 60 day buy back period for the property ends April 27, 2020.***

~Harding, Douglas N. Property is known as parcel number 0140/006-00A. Payment was received to pay FY 18, FY 19 and FY 20 taxes on March 11, 2020.

~Ward, Gary & Ward, Kristen. Property is known as parcel number 0027/004-001.147. Payment was received to pay FY 18, FY 19 and FY 20 taxes on March 10, 2020.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Quitclaim Deeds to release the liens on the properties listed above. Passed unanimously.

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

~Town Manager: None

~Selectmen: None

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

1. \$100.00 donation from Katherine Ryan and Susan Knowlton to the Town of Wells for the COVID- 19 "We Are Wells" Fund.

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

2. \$50.00 donation from Judith Gallinari to the Town of Wells for the COVID- 19 "We Are Wells" 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.

3. \$400.00 donation from the Patricia McDonald Trust, Wells Maine for the purchase of masks material for sewers to use to make protective masks.

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.

4. \$20,420.00 grant from Fidelity Charitable and Forbes Family Foundation to the Town of Wells for the Town's General Assistance Fund for Fuel and Food.

Mr. T. Roche noted that Mr. and Mrs. Forbes were always kind and generous, and their children are carrying on the tradition of giving back to the Town.

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.

5. \$365.00 donation from Tom Richard to the Town of Wells for the COVID- 19 "We Are Wells" 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 14, 2020 Selectmen's meeting.*

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the April 14, 2020 Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

1. *Open to the Public*

~Why is the beach different from the sidewalk? There was a lovely spring weekend when we began sheltering and people came up to the beach anyway. Closing the beach sends the message that the Town is closed.

~Is an RV park in the same category as a campground with transient trailers? Yes.

~When will the emergency orders end? We don't know.

~What is a high density development? Most lodging facilities and seasonal sites are high density. Under our zoning they come under lodging. The density regulations are different from year-round homes and they get a density bonus allowing them to build more units.

~What about excise tax payments and car registrations? The Bureau of Motor Vehicles is closed. The State has a Rapid Renewal program and people can pay on line. If you don't have a computer, you can wait until the Library reopens. New car registrations have a 30 day grace period after the end of the emergency and the Police have been instructed not to ticket vehicles with expired registrations. We are figuring out a staging area where the public can do business at Town Hall safely.

~When will the barriers at the beach be removed? When the beach is open.

~Will the parking lots be enlarged? There is no more land.

~Are there beach passes for renters? Year round residents can register their vehicle for a sticker. Seasonal renters don't pay taxes to the Town and are not eligible. There are 500 spaces and we sell 6000 stickers. There are about 4000 time share weeks and transient sticker holders. If you get a tax bill on your unit, you can get a sticker.

~Charter boats aren't required to pick up customers on the Western Shore. There are parking spaces for fishermen near the Harbor Master's shack.

~Re: parking spaces, should the amount of space be "less than 20 ft." or "greater than 20 ft."? A protrusion greater than 20 ft. is too long and it can't park there.

~A shout out to the cashiers and all the hard working employees in our grocery stores.

~The season labor supply for our farmers will be a problem this year. It is too dangerous to have farm workers moving from state to state, following the planting and harvesting seasons. Many local residents have spare time—people furloughed from work, students on summer break or waiting to start their jobs or college work could provide volunteer labor on the farms. The farmers are our friends and neighbors and contribute so much to our community. We can help them harvest crops for their own farm stands or to donate to local food pantries. The need is great and food should not be wasted.

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
