

## ***SELECTMEN'S MEETING - TUESDAY, APRIL 2, 2019***

***Present: Chairman Karl Ekstedt, Selectmen Tim Roche, John Howarth, Dan Hobbs and Kathy Chase.  
Town Manager Jon Carter***

### ***6:00 PM MEETINGS AND WORKSHOPS:***

***1. Workshop #1 - Discussion with the Town Planner Engineer and CEO on the status of updating the Town's Shoreland Zoning to bring it into State compliance. Also present: Town Engineer/Planner Mike Livingston and CEO Jodine Adams.***

Mike reviewed the two phases of the proposal from Morse Environmental Consulting. Our definitions, including "wetlands", would be rewritten to match DEP's. There would be a distinction between forested and non-forested. The Town would need to consider the impact on lots, how many would have to be grandfathered and how to reduce the taxes. We don't know the extent of wetlands on private land. Mike suggested taking a known area and looking at the impact to give us an idea of the project scope. Karl said it would be nice to have the information but we don't have to know the impact before we vote. The DEP is not requiring it. The consensus was to do only Phase 1 of the Morse proposal to comply with state law.

***2. Workshop #2 - Maine Gun Safety Coalition – Voluntary 2019 Maine Gun and Ammunition Giveback Program on May 11, 2019. Also present: Police Chief Jo-Ann Putnam and Lt. Gerry Congdon.***

The Maine Gun Safety Coalition is creating a gun give back day when residents can safely turn in unwanted firearms and ammunition. The Coalition is working with Raw Tools in Colorado to turn the guns into garden tools and ship them back to Maine. This is a voluntary, anonymous way for people to get rid of them and prevent accidents or tragic misuse. Wells P.D. will call ATF to take the ammunition. A bill has been introduced into the Legislature to make this an annual event.

The Police Department is willing to facilitate this and feels that they can manage it, even with the construction. The consensus was to approve it.

***3. Introduction of New Firefighters: Chief Wayne Vetre.***

Chad Charland and Matt Magill have been on duty and are training with the Department. Chad comes from Gorham and Scarborough; Matt comes from Poland. Both tested well and have extensive experience in firefighting. Welcome to Wells.

***4. Workshop #3 - Harbor Shoaling Issue and Options to Resolve Issue. Also present: Harbormaster Michael Yorke.***

A shoaling problem develops at the Harbor every year. ACOE budgeting and scheduling for a dredge have to be done far in advance and the deadlines for this season have passed. Mike contacted several private dredge companies. Riverside & Pickering in Newington will do the work for \$255,000 mobilization/demobilization plus \$20.50 per cubic yard. Mike feels this price is excessive. ACOE has designated this a federal navigation channel and he believes they should be responsible for maintaining safe boating conditions. ACOE will do soundings in the next 3-4 weeks and we may be able to get the Currituck here next year. Two versions of the Warrant Article were drafted, with and without the release of funds for an emergency dredge. Mike and the Selectmen felt that the Riverside & Pickering fee is too high and that we shouldn't act on the bid. Mike will put up warning signs for the boaters.

***Special Presentation:***

Representative Dan Hobbs, Senator Hymanson and Senator Foley welcomed Tyler Bridge and Coach Tim Roche to the State House last week.

Rep. Hobbs read the Legislature's sentiment for Coach Roche who was named 2019 Coach of the Year by the Maine Principals' Association.

***7:00 PM – SELECTMEN'S MEETING******Special Presentation – WOCSD FY'20 Budget Presentation - Supt. Daly***

~Congratulations to Mr. Roche on being named Coach of the Year.

~We have 1386 students in our school system. High school students are required to do 10 hours of community service each year, which works out to 40 hours by the time they graduate. Students are involved with the Heart Association, fundraising, for breast cancer, blood drives, the Barbara Bush Children's Hospital, and other organizations. The schools offer a large variety of activities including art, music, theater and sports.

~Salary and benefits make up 50% of the budget. The proposed increase is 2.34% this year. We are receiving an increased subsidy from the State. The transportation contract was recently negotiated. Electricity costs are up. Switching to natural gas is saving money. Debt service is down.

~The tax impact is \$0.08 which works out to \$24 for a \$300,000 home in Wells.

~Mr. Roche noted that our school system has an excellent reputation and people move here because of the schools.

~Mr. Ekstedt complimented Mr. Daly on the great communication between the Town and the schools.

***MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS***

1. ***Joint Public Hearing with the Budget Committee on the proposed FY'20 Budget and the proposed financial Warrant Articles. Also present: Budget Committee members Richard DeBold, Brian Toomey, Bob Subilia, Ron Schneider, Russ Markgren, Patrick Mulcahy, Marisa Caputo, Suzie Finnell.***

Thank you to the Budget Committee and Selectmen for their good work this year. The staff is grateful for the capital improvements and new technology provided for in the budget. Salaries are up to reflect the new School Resource Officer. Operating expenses are up with benefits tied to salaries, and to reflect higher energy costs. The new public safety building will come on line in September. WEMS costs are up due to the volume of ambulance calls. The CIP is up 43% using reserves and surplus so it won't impact the tax rate. Revenues are up 19%, especially with purchases of new homes and cars. We were able to stay under the LD-1, the State tax cap. The Finance Director did a 20 year projection of the public safety building bond. We are keeping a 60-90 day reserve for operating expenses. The tax rate will increase by 1.64% for an impact of \$0.05 per \$1,000. The County budget isn't complete yet.

Several warrant articles will be voted on at Town Meeting. The Fire Department is adding one daytime firefighter to cover peak times due to increased call volume and the number of back to back calls. The Town plans to sell the parcel on Route 109 that was purchased for the fire substation, since the Route 9 parcel is a better location. Two parcels of Town-owned land, the former landfill site on Route 9B and the former gravel pit near The Heath, are being considered for solar facilities leased by Walden Renewables.

There are 9 “housekeeping” articles with language changes for Chapter 145 Land Use to clarify and simplify the Code.

Mr. Ekstedt thanked the Budget Committee for their hard work and the time they spent. Mr. Roche noted that Mr. Subilia is retiring from the Budget Committee and thanked him for his years of service on the Committee.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and move the FY’20 Municipal Budget, Financial Warrant Articles, including the Solar Parcel Lease article, to the certification and Warrant signing phase for the June 11<sup>th</sup>, 2019 Town Meeting Ballot. Passed unanimously.

2. ***Matt Gray, dba: Gray Matter Marketing, 200 Highpoint Ave, Unit B5, Portsmouth RI, application for a Mass Gathering Permit for a Craft Brew Fest with Food Trucks to be held at Wells Harbor Community Park on July 13, 2019. (R)***

Public comment was solicited and there was none.

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

3. ***Town of Wells, 208 Sanford Road, Wells, application for a Civic Organization Liquor License for the Brew Fest to be held at Wells Harbor Community Park on July 13, 2019. (N)***

Public comment was solicited and there was none.

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

4. ***Pointer Hospitality, LLC, dba: Spinnakers, 139 Post Road, Wells, application for a full-time Malt and Vinous Liquor License. (R)***

Public comment was solicited and there was none.

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

5. ***Yummee II Inc., dba: East Restaurant, 636 Post Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

6. ***Ezzo Enterprises, Inc., dba: Haven By The Seas, 59 Church Street, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

**AND**

7. ***Ezzo Enterprises, Inc., dba: Haven By The Seas, 59 Church Street, Wells, application for a Special Entertainment Permit. (R)***

Public comment was solicited and there was none.

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

8. ***Wells-Ogunquit Resort LLC, dba: Wells –Ogunquit Resort Motel and Cottages, 203 Post Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (N)***

**AND**

9. ***Wells-Ogunquit Resort LLC, dba: Wells –Ogunquit Resort Motel and Cottages, 203 Post Road, Wells, application for a Special Entertainment Permit. (N)***

Public comment was solicited and there was none.

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

10. ***Cardinali's Restaurant Inc., dba: Fisherman's Catch, 134 Harbor Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

11. ***Congdon's Donuts Inc., dba: Congdon's Doughnuts, 1090 Post Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

**AND**

12. ***Congdon's Donuts Inc., dba: Congdon's Doughnuts, 1090 Post Road, Wells, application for a Special Entertainment Permit. (R)***

Public comment was solicited and there was none.

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

13. ***Ilse Fernandez, dba: El Grand Rodeo, 147 Western Avenue, So. Portland, application for a Food Truck License. (N)***

Public comment was solicited and there was none.

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

14. ***Gary Leech, dba: Big Grampa's Grill, 1090 Post Road, Wells, application for a Food Truck License. (R)***

Public comment was solicited and there was none.

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

15. ***Gary Leech, dba: Congdon's Doughnuts, 1090 Post Road, Wells, application for a Food Truck License. (R)***

Public comment was solicited and there was none.

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

16. ***Brandi Haaf and Lonnie Stinson, dba: Crepe Elizabeth, 2 Evergreen Circle, Cape Elizabeth, application for a Food Truck License. (R)***

Public comment was solicited and there was none.

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

17. ***Margaret Genereux, dba: Gotta Be Frank, LLC, 24 Walkers Ridge Drive, Sanford, application for a Food Truck License. (N)***

Public comment was solicited and there was none.

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

18. ***Wells-Ogunquit Center at Moody, 300 Post Road, application for a Blanket Letter of Approval to operate a game of chance. (R)***

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and grant the license. Passed 4-0-1 with Mrs. Chase abstaining.

19. ***Good News:***

~Recreation Director Tina LeBlanc forwarded a thank you letter from a grateful mother complimenting Marilyn Wallace for her time and effort devoted to the boys' basketball travel team.

~The Public Safety Departments received several thank you letters from grateful residents.

~Congratulations to Coach of the Year Selectman Tim Roche.

## 20. *Open to the Public*

Public comment was solicited and there was none.

### ***CURRENT AGENDA ITEMS***

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

There is a Warrant dated April 2, 2019 with expenses of \$359,204.25, no school payment, net payroll for the week ending 3/21/19 in the amount of \$74,541.85, net payroll for the week ending 3/28/19 in the amount of \$74,592.16, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$61,143.68 for total expenses of \$569,481.94.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated April 2, 2019 in the amount of \$569,481.94. Passed unanimously.

There is a General Assistance Warrant dated April 2, 2019 in the amount of \$975.40 consisting of \$382.95 General Assistance and \$592.45 from the Special Fuel Fund .The Fuel Fund balance is \$42,976.20.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated April 2, 2019 in the amount of \$975.40. Passed unanimously.

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

##### ***a) Discussion and action on signing 2019 Annual Town Meeting warrant (FY'20 Municipal Budget, Financial and Non-Financial Articles) and finalize the Town Meeting Warrant Book for mailing.***

Motion by Mrs. Chase, seconded by Mr. Roche, to sign the 2019 Annual Town Meeting Warrant (FY'20 Municipal Budget, Financial and Non-Financial Articles) and finalize the Town Meeting Warrant Book for mailing. 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 set Town Meeting Warrant Informational Hearings at 7 PM on May 7, May 21 and June 4, 2019 in the Littlefield Meeting Room, 208 Sanford Road. Passed unanimously as amended.

Town Meeting will be held on June 11 from 8 AM-8 PM. Absentee ballots will be available.

##### ***c) Discussion and action on Resolution to have the Wells Police Department participate in a May 11, 2019 Gun Give Back Day.***

Chief Putnam stressed that this is a new program for people who want to get rid of guns and ammunition in their homes. This is a voluntary program to get rid of unwanted guns so they don't fall into the wrong hands. Mr. Roche said this is not about gun control. We don't want to take anyone's guns away. This is totally voluntary. If there is a gun at home and you don't feel safe handling it, call the police and they will

come and check it for you. More information will be made available as the Coalition continues their work. This is not just for Wells residents; anyone is welcome to participate. The guns will be destroyed and shipped to Colorado to be made into garden tools.

The following resolution was moved by Mrs. Chase and seconded by Mr. Roche:

*BE IT RESOLVED by the Wells Board of Selectmen that May 11, 2019 is to be designated “Gun Give Back Day,” wherein gun owners can bring unwanted firearms and ammunition to the Wells Police Department-voluntarily, anonymously and without compensation-so that any unwanted guns and ammunition may be safely destroyed per the Town’s existing destruction practices and thus removed from any unintended chain of events, accidental violence, or other tragic and/or accidental misuse:*

*And be it further resolved that the Town of Wells Police Department may hand out trigger locks during the course of Gun Give Back Day.*

*The Awareness*

*And, be it further resolved that the Town Manager and Police Chief are directed to advertise and promote the Gun Give Back Day thru local media outlets, the Town website, Cable Channel and Social Media:*

*The Peaceful Re-Use*

*And, be it further resolved that the Town of Wells Police Department is directed to work in coordination with Maine Gun Safety Coalition and its “Guns to Garden Tools” project to dispose of the firearms in accordance with ATF regulations so that they may be later turned into garden tools to be donated to community or school garden projects.*

The motion passed unanimously.

d) ***Discussion and action to approve a Quitclaim Deed for property that had a foreclosure date of March 2, 2018. The 60 day buy back period for the property ended May 1, 2018.***

~Streeter, Samantha. Property is known as parcel number 0023/020-000. Payment was received to pay FY 16 on March 25, 2019.

***AND***

e) ***Discussion and action to approve Quitclaim Deeds for properties that had a foreclosure date of March 1, 2019. The 60 day buy back period for the properties ends April 30 2019.***

~Campbell, Cheryl. Property is known as parcel number 0045/007-00B. Payment was received to pay FY 17 and FY 18 on March 12, 2019.

~Streeter, Samantha. Property is known as parcel number 0023/020-000. Payment was received to pay FY 17 on March 25, 2019.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Quitclaim deeds to release the liens on the properties read before. Passed unanimously.

**f) *Discussion and action on affirming the Name of the Officers and Directors for the Wells Industrial Development Corporation and authorize Bergen & Parkinson, LLC to file the 2019 State of Maine Annual Report on behalf of the Wells Industrial Development Corporation.***

In the 1970's Wells and the State worked to bring Spencer Press to the Industrial Park. Since revenue enhancement bonds have to be held by another organization, the Town created the Development Corporation to own the land and facilitate the revenue bonds. The bonds have been paid off, but this is a useful vehicle for future economic development. We re-register it annually with the Secretary of State.

Motion by Mrs. Chase, seconded by Mr. Roche, to confirm the Wells Industrial Development Corporation Officers and Directors as follows for 2019:

- President: Karl Ekstedt
- Treasurer: Timothy Roche
- Secretary: Kathleen D. Chase
- Clerk: Leah Rachin
- Directors:
  - Timothy Roche
  - Karl Ekstedt
  - Daniel Hobbs
  - Kathleen Chase
  - John Howarth

And to authorize Bergen & Parkinson, LLC to file the 2019 State of Maine Annual Report on behalf of the Wells Industrial Development Corporation.

The motion passed unanimously.

**g) *Discussion, action and recognition of two students the Wells Conservation Commission is sending to the Maine Conservation Education Program at Bryant Pond.***

The Commission obtained a \$300 scholarship for each student and will pay the balance of \$670 from their budget to send Angelina DeMarco and Reese Murphy from Wells Junior High School to the camp.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the expenditure of \$670 to send two students to the Maine Conservation Education Program at Bryant Pond. Passed unanimously.

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

1. ***Town Manager***
  - a) ***Resignation of Nicholas Cloutier—Deputy Assessor. Nicholas will be the Assessor for Brunswick.***
  - b) ***Resignation of Frank Smith—Equipment Operator. Frank is returning to Pike Industries.***
  
2. ***Selectmen***
  - a) ***Recreation Commission Appointments***



1. Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Holly Margeson Gamache as a regular member to the Recreation Commission with term to expire April, 2022. Passed unanimously.

2. Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Gene Sledzieski as a regular member to the Recreation Commission with term to expire April, 2022. Passed unanimously.

***b) Budget Committee Appointments:***

1. Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Susan Finnell as an alternate member to the Budget Committee with term to expire April, 2022. Passed unanimously.

2. Motion by Mrs. Chase, seconded by Mr. Roche, to accept Bob Subilia's resignation from the Budget Committee with regrets and write a letter thanking him for his 14 years' service. Passed unanimously.

3. Motion by Mrs. Chase, seconded by Mr. Roche, to appoint James Gaylord as a regular member to the Budget Committee with term to expire April, 2022. Passed unanimously.

***c) Harbor Advisory Committee Appointments:***

1. Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Charlie Bashaw as a full member to the Harbor Advisory Committee with term to expire August 2021. Passed unanimously.

***i) Discussion and action to accept donations and bequests.***

1. \$1,510.00 from Wells Public Library Foundation, Inc. to the Wells Public Library for the Distribution of Maine Community Foundation Endowment for Sauter, Stackhouse, Nelson and Gordon Funds.

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

2. \$26.00 donation from Various Library Users to the Wells Public Library.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the generous donation Passed unanimously.

***j) Discussion and action on approving minutes of March 5 and 19, 2019 Selectmen's meetings.***

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the minutes as written. Passed unanimously.

***NEW BUSINESS***

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

Public comment was solicited and there was none.

2. **Town Manager's Report**

~The Drug Take Back Day will be April 27 at the Wells ErGent Care.

~The road posting will be lifted on Friday, April 5 because the frost is out of the ground.

~Jim Shaw passed away last week. Jim and his canine companion Rudder were fixtures at the Harbor. Jim operated a charter boat, and was a Marine Warden. A group of his friends have contributed funds for a bench at the Harbor in his memory and there will be a wake for him in June at Harbor Park.

3. **Adjournment**

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

Respectfully submitted,

Accepted by,



Cindi Davidson,  
Meeting Recorder

