

## ***SELECTMEN'S MEETING—TUESDAY MAY 15, 2018***

Present: Chairman Karl Ekstedt, Selectmen Tim Roche, Kathy Chase, John Howarth, Daniel Hobbs, Town Manager Jon Carter

### ***Workshops:***

- 1. Title issue(s) regarding Lois Lane Right of Way.*** Also present Town Planner/Engineer Mike Livingston and Town Attorney Leah Rachin.

Mike discussed the situation with Lois Lane which is off of Hubbard Lane. One of the property owners did not get consent from the mortgage holder to convey the ROW. The title issue was discovered when one of the owners applied for a site plan amendment, and the application was withdrawn. The resolution is to enter into a consent agreement. The Town would recognize Lot 34A as a legal lot, and the owner will convey an easement giving the affected owners access to their lots. Vernon Hubbard indicated to Mike that he intended a 25' ROW, and the draft consent agreement will have to be revised. 25' is adequate for emergency access to the lots and there is a turn-around at the end. Hubbard Lane is grandfathered and the lots have adequate frontage. Tom Bergin and his attorney were present and had no objections to the revised agreement. A public hearing is planned for June 19.

- 2. Review and Discussion on the Federal Lands Access Program Projects and Memorandum of Agreements (MOAs).*** Also present Town Planner/Engineer Mike Livingston.

Rachel Carson asked the Town to partner with them for these projects. Two grants, for the Harbor Road Trail and for Furbish Road, are being combined into one MOA. We are partnering with MDOT for a trail from Route One to the Harbor. Behind Fisherman's Catch it will become an off-road trail. The road will be widened and repaved in 3 phases: closest to the Harbor, the mid-section, and up to Route One. Parking on the south side will be eliminated at Fisherman's Catch and there will be 90° straight in parking on the north side. Parking will be safer since people won't have to cross the road to get to the restaurant. The parking areas are being swapped and all spaces are available to the public. The Town's portion will be \$163,000 (of the \$825,000) and Mike will be our local administrator. The first task is to get the environmental permits. The project will go out to bid this fall with construction starting in the spring.

The Furbish Road pavement will be widened over the culvert, with a viewing platform at the marsh. Part of the grant is to make the road resilient so it won't flood during storms and high tides. The Town's portion is \$76,000 of the \$187,000.

- 3. Seasonal Wage Adjustment for Lifeguards.*** Also present Fire Chief Wayne Vetre and Lifeguard Captain Kevin Prouty.

Recruiting lifeguards is competitive this season and our starting wage is lower than area towns. The wage problem was discussed at the May PAC meeting and increased compensation was recommended. The proposal includes using funds from the Beach Enterprise Fund and eliminating one hour per day from each shift. Maintenance will be done at the end of the day. The trailer may not be needed this year, saving an additional \$3,500. Incentive bonuses have been offered for starting early or staying to the end of the season; they will be eliminated since the students aren't eligible because of their school schedules. That money will be taken away and used to cover salaries.

The work day is 10 AM-5 PM and they come an hour early for report, stretching/loosening and travel to the beach. Three people per day are scheduled for maintenance. Lifeguards will work 3 days on/3 days off so everyone will get some weekends off. Tim asked if 8-4 would be better hours since people arrive early for a parking space and start leaving the beach early. The tide also affects beach hours. If the lifeguards left early they could get a second job.

The recommendation is \$14.50 to start and \$15 for the returning lifeguards. There is no time and a half since these are seasonal positions. A public hearing will be scheduled for June 5 to release the additional funds.

#### ***4. Participation in a new statewide Educational Subsidy Coalition - Raise the Floor.***

School districts would receive funds through the EPS (Essential Program Services) formula or 15% of average per pupil costs, whichever is higher. WOCSD would receive an additional \$800,000. The coalition of towns and school districts has hired Preti, Flaherty to lead the lobbying and submit the legislation. The coalition is asking each district/town for \$5 per pupil to cover expenses. Wells' share would be \$6,650 for 1330 students, to be split between the Town and School budget. The School Board has supported joining the coalition.

#### ***5. Review of 2016 Tax Foreclosures as of the May 1<sup>st</sup> Deadline following the 60 day redemption period.*** Also present Finance Director Jodie Sanborn.

The 60 day foreclosure period ended on May 1 and there are 12 properties still on the list. We asked our attorney to check our work to see if we have perfected the titles. There is a law suit involving the condo association; our third party law firm recommends taking no action for now. More notification is needed on 5 properties; we need to notify the Sewer District because of their liens.

The Cooper property on Route One was demolished. Mr. Cooper is deceased and left the property to his partner. The recommendation is to allow her to pay the back taxes and demolition fees. The Sheridan property owner would like a payment plan. The recommendation is to keep the property and work out a payment plan. A compassionate program is recommended for the other 5 properties. The owner was a Town employee who is having difficulties, and 90 days more were proposed.

### ***SELECTMEN'S MEETING***

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

##### ***1. June 12<sup>th</sup> Town Meeting and FY'19 Municipal Budget Informational Hearing.***

This is the second of three informational hearings. The polls will be open from 8 AM-8 PM on June 12. Mr. Carter discussed the budget process including salaries, operating costs, CIP and the warrant articles. The recommendation is to eliminate the enterprise fund for the Transfer Station and include it in the budget. The Train Station will also be included in the budget. Salaries are up 7.5%. Operations including bond debt are up 23.19%. The CIP is down. Revenues increased almost 15%. We are under the LD1. The warrant articles cover an open space purchase, additional SROs, utility easements, LED street lights and repairs to the Recreation Department field.

2. ***Christopher Kozlowski, dba: Chef Koz's Crescent City Kitchen, 73 Flowing Brook Road, Farmington, NH, application for a Food Truck License. (N)***

The food truck licenses are for Congdon's After Dark. They will not be parking on public roads. The Planning Board has approved the plan for up to 10 trucks per night on a rotating basis, starting Memorial Day weekend.

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.

3. ***Bethany Taylor, dba: Fishin' Ships, 38 Fox Street, Portland, ME, 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.

4. ***Anthony Fratianne, dba: The Truffle Truck, 107 Morse Road, Norway, ME 04268, 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.

5. ***Heather Glidden, dba: El Camino Fresh Mexican Grill, 80 McLucas Road, East Waterboro, ME, 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.

6. ***Kate Subocz, dba: Knew Potato Caboose, 25 S. Summer Street, Nottingham, NH, 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.

7. ***Daniel Durgin, dba: Sea-Gar Charters, 17 Clifford Lane, Wells, application for a Commercial Recreation Business 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.

8. ***Phillip Breton, dba: Breton's Charters LLC, 68 Summerset Street, Wells, application for a Commercial Recreation Business 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.

9. ***Donnell Sayward, dba: Don's First Light, 533 Coles Hill Road, Wells, application for a Commercial Recreation Business 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.

10. ***Phil Herron, dba: L & B Charters, 18 Shamrock Lane, Wells, application for a Commercial Recreation Business 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. ***Anthony Barbano, dba: Ocean Jet Ski Rentals, 18 Old Orchard Lane, Saco, application for a Commercial Recreation Business 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.

12. ***Dennis & Timothy Legere, dba: Reel Brothers Charters, 40 Morris Street, Sanford, application for a Commercial Recreation Business 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.

13. ***Mark L. Driscoll, dba: 3 Ladies Fishing, 200 Atlantic Avenue, Wells, application for a Commercial Recreation Business 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.

14. ***Peter T. Sage, dba: Sage Fishing, 69 Ox Cart Lane, Wells, application for a Commercial Recreation Business 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. ***Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

**AND**

16. ***Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse Road, Wells, application for a Special Entertainment Permit. (R)***

**AND**

17. ***Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse Road, Wells, application for an Auxiliary Liquor License. (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 licenses and permit. Passed unanimously.

18. ***Ri Teng Li and Wei Yi Wang, 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.

19. ***William M. Hobbs, dba: Hobbs Harborside, 352 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 4-0-1 with Mr. Hobbs abstaining.

20. ***Wells Reserve at Laudholm, 342 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for the American Diabetes Association Tour de Cure Bike Race to be held at Wells Reserve on June 10, 2018.***

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.

21. ***Good News:***

- a. Habitat For Humanity House. The ribbon cutting was held for the new house off Quarry Road. Selectmen Howarth and Hobbs attended along with County Commissioner Richard Clark. The Town was recognized for our cooperation in helping arrange for the purchase of the property.
- b. The Fire Department received a thank you from the owners of the Wine & Cheese store in Moody. There was a small fire which was quickly contained. Damage was minimal.
- c. Wells High School was ranked #4 in the State and moved up in the national ranking.
- d. The students made a pledge to hang up flags in honor of our veterans. There are flags on poles reaching from the elementary school to Dunkin Donuts. There were 54 flags up by last Wednesday and 25 more are planned. Anyone who would like to sponsor a flag can pay \$45 for the bracket, pole and flag. Checks should be payable to Wells High School or Wells High School Football. The flags will be taken down after Veterans Day and saved for next year.

22. ***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 May 15, 2018 with expenses of \$2,157,762.88, school payment of \$1,610,295.00, net payroll for the week ending 5/3/18 in the amount of \$68,735.69, net payroll for the week ending 5/10/18 in the amount of \$70,756.52, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$56,099.84 for total expenses of \$3,963,649.93.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated May 15, 2018 in the amount of \$3,963,649.93. Passed unanimously.

There is a General Assistance Warrant dated May 15, 2018 consisting of \$294.53 General Assistance and \$935.00 from the Special Fuel Fund for a total of \$1,229.53.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated May 15, 2018 in the amount of \$1,229.53. Passed unanimously.

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

- a) ***Discussion and action on setting a public hearing date to release additional funds up to \$40,000 from the Beach Enterprise Fund for lifeguard's compensation to cover the FY'18 and '19 Budget cycles to remain competitive with the lifeguard seasonal recruitment market.***

At the earlier workshop there was a discussion of lifeguards' wages and the recruiting difficulties since we are not competitive. The minimum wage has increased and the market is tight. There are 3 pay times: spring 2018 up to the end of the fiscal year, summer 2018 and spring 2019 to 6/30/19. Mrs. Chase noted that Chief Vetre is reorganizing and streamlining the program to run it as efficiently as possible. Mr. Roche recommended having the shift hours match beach activity and the tides.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing for the purpose of releasing up to an additional \$40,000 from the Beach Enterprise Fund for lifeguard market compensation adjustments to remain competitive in the seasonal recruitment process in the FY'18 and 19 budget cycles for Tuesday, June 5, 2018 at 7 PM in the Littlefield Meeting Room of Town Hall, 208 Sanford Road. Passed unanimously.

**b) *Discussion and action on the Federal Lands Access Program Projects and Memorandum of Agreements (MOAs).***

The purpose of the FLAP Program is to improve transportation through environmentally sensitive areas. The Harbor Road project is for a trail leading from the public safety complex down to Fisherman's Catch, then an off-road trail leading to Harbor Park. The Town is paying about \$230,000 out of the \$880,000. The Furbish Road project will put a safety shoulder on the road for pedestrians out to the viewing deck and help with the culvert repairs. The work will be completed by 2020.

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Town Manager to sign the FLAP and MaineDOT MOAs for the two federal projects. Passed unanimously.

**c) *Discussion and action on request by the York County Community Action Corporation to use the parking area, facilities at the Highway Department and to purchase fuel from the Town for the Shoreline Explorer trollies from May to September of 2018.***

This is an annual arrangement we have with YCCAC to use the facilities and purchase fuel for the trollies.

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Town Manager to sign the YCCAC MOU for the Shoreline Explorer Trollies to be stored at the Highway Department and utilize the facilities and to purchase fuel from the Town as they have done in past years. Passed unanimously.

**d) *Discussion and action on setting a public hearing date on issuing a Consent Agreement to clear up issues with the Hubbard Subdivision Road.***

The ROW known as Lois Lane does not have a clear title. The consent agreement will resolve that problem and grant a 25' ROW.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing for the purpose of issuing a consent agreement to clear up issues with the Hubbard Subdivision Road for Tuesday, June 19, 2018 at 7 PM in the Littlefield Meeting Room of Town Hall, 208 Sanford Road. Passed unanimously.

**e) *Discussion and action on certifying the 2018 Warrant and Notice of Election calling for the Wells – Ogunquit Community School District #18 Budget Validation Referendum.***

Motion by Mrs. Chase, seconded by Mr. Roche, to certify the 2018 Warrant Notice of Election calling for the Wells-Ogunquit Community School District #18 Budget Validation Referendum. Passed unanimously.

- f) ***Discussion and action in joining and participating with the WOCSD in the statewide coalition called “Raise the Floor”.***

This is an effort by 88 districts to receive additional educational funds from the State budget. WOCSD would receive an additional subsidy of \$800,000. The School Board has voted to join the coalition. The cost is \$5 per pupil for a town or district to participate in hiring a lobbying firm.

Motion by Mrs. Chase, seconded by Mr. Roche, to participate in the “Raise the Floor” coalition and donate up to \$3,000 for membership. Passed unanimously.

- g) ***Discussion and action on the 2016 property tax foreclosures.***

Mr. Carter reviewed the list of 12 remaining foreclosures. Five are under one ownership, the balance are 3 small travel trailers, 2 park models and a trailer. Five require notification to the Sanitary District. We are working with the other owners.

Motion by Mrs. Chase, seconded by Mr. Roche, to keep the properties for 90 days and continue working with the owners before foreclosing and selling the properties. Passed unanimously.

- h) ***Discussion and action on signing the renewal of the Ogunquit / Wells Dispatch Agreement.***

The Ogunquit Selectmen recently voted to renew the agreement.

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Town Manager to sign the renewal Dispatch Agreement between the Towns of Ogunquit and Wells. Passed unanimously.

- i) ***Discussion and action on Nomination of Representative to the MMA’s Legislative Policy Committee.***

This is based on the 33 State Senate districts.

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

- j) ***Discussion and action on accepting the Regional Planning Commission’s Road Striping Bid.***

SMRPC conducted a bid and the low bidder was Poirier Guidelines.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the 2018 SMRPC bid for Road Pavement Striping Services and utilize the pricing from Poirier Guidelines for Wells road striping. Passed unanimously.

- k) ***Discussion and action to accept donations and bequests.***

1. \$300.00 donation from William and Elaine Anlyan to the Town of Wells for repairs to the memorial bench at Harbor Park in memory of Constance Anlyan.

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

2. \$50.00 donation from Sally and Stan Radomski to the Town of Wells for Summer Concert Series Souvenir Program Book.



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

1) ***Discussion and action on scheduling a special Selectmen’s Meeting on Tuesday, May 22, 2018 at 6PM for review of Public Safety Complex and Substation Projects.***

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a special Selectmen’s Meeting on Tuesday, May 22, 2018 at 6PM for review of Public Safety Complex and Substation Projects. Passed unanimously.

m) ***Discussion and action on approving minutes of May 1, 2018 Selectmen’s meeting***

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the May 1, 2018 minutes as written. Passed 4-0-1 with Mr. Ekstedt abstaining.

***NEW BUSINESS***

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

Mr. Howarth recognized the Wells police officers for the great job they do. Today is National Peacekeepers Day.

2. ***Town Manager’s Report***

- ~Family Feud Night will be Friday, June 1 at the Activity Center and the Selectmen have been challenged to participate.
- ~The Memorial Day parade will start at 8:30 with line up at the high school. We have been invited to the Southern Maine Veterans Cemetery for a 1 PM ceremony.
- ~The Furbish Road culvert has been installed. Brex has been working hard and will put the topping on the culvert over the next few weeks. Deadline for the end of the job is the last day of May, based on our federal permit.
- ~Comprehensive Plan is on the web site. The Planning Board will hold a workshop.
- ~The FEMA flood maps, phase 1, are almost ready. There will be a presentation here at 1:30 on May 22.
- ~Caron Engineering is holding a ribbon cutting at their new facility on Willie Hill Road, Monday, May 21 at 1 PM.
- ~The Library is closed this week while they move the books and stacks.
- ~Repairs of the storm damage will begin next week.
- ~The Layman Way Recovery Center (in Alfred next to the jail), an addiction treatment center, will hold a ribbon cutting at 11 AM, Friday, May 18. This was funded by the County and Shelter program. Wells is the second highest tax payer in the county and contributed a lot of the funds. The Center is primarily to treat addicts being released from the jail.

3. ***Adjournment***

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

Respectfully submitted,

Accepted by,

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Cinndi Davidson,  
Meeting Recorder

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