

## ***SELECTMEN'S MEETING - TUESDAY, JUNE 4, 2019***

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

***Excused: Selectman Dan Hobbs***

### ***5:30 PM MEETINGS AND WORKSHOPS:***

***Executive Session: Pursuant to 1 M.R.S. § 405(6)(C), to confer on the acquisition of property as part of a proposed road project.***

Motion by Mrs. Chase, seconded by Mr. Roche, to go into Executive Session pursuant to 1. M.R.S. §405(6) (C) to confer on the acquisition of property as part of a proposed road project. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to come out of Executive Session. Passed unanimously.

#### ***Workshop #1: Offer of Conservation Land***

The Josephine Matthews Revocable Trust has offered the Town 3.9 acres adjacent to the Heath. The Town Attorney has reviewed the offer and quitclaim deed. The taxes are paid up. The consensus was to accept the offer.

The Conservation Commission is working on an old abandoned farm just off of Meetinghouse Road to create some walking trails through the property. There is considerable development in the Wells Branch neighborhood and the neighbors are pleased to have this conservation parcel, affectionately known as "Ghost Meadow." KK&W has an easement for a stream that runs through the area.

#### ***Workshop #2: Municipal Licensing Inspection Responsibilities. Also present Fire Chief Wayne Vetre and CEO Jodine Adams.***

The Town Attorney prepared a memo discussing the state law concerning municipal licensing inspections. Jodine discussed the process for inspection of a new business by the Code Office and Fire Department in order to grant the business license. Failure to inspect as required in §150 could put the Town at risk for a lawsuit. We could re-evaluate all the inspection requirements or scale down some of them. A third party inspector could be hired with the cost covered by the inspection fees. Wayne feels that we should be following our ordinance and the state statute, plus more extensive inspections of locations where public safety is a special concern. Lodging fees generate \$29,000 annually and other clerk's fees are \$28,000. Karl's concern was the liability if we aren't doing required inspections, and having contact information for the owners. Kathy said that some of the inspections can be eliminated, and people can sign off if they waive certain inspections. Tim was concerned about the risk of a hotel fire with the number of older buildings in Town. The Town doesn't have any regulations for "AirBNB" units and that hasn't been a problem for us. Weekly rentals have been a long-standing tradition in Wells; Jodine's concern is with the trend to nightly rentals. The question was raised whether we should inspect the rental units for safety features. If a building permit is involved then an inspection is required. Wayne and Jodine will review the regulations for lodging facilities, short-term rentals and high profile locations like the movie theater.

**Workshop #3: Memorial Bench Pricing. Also present Marianne Goodine.**

The current cost for a bench is \$573, with an additional \$180 for the plaque. After June 1 the total price increases to \$775. We are now charging \$700 for both. The recommendation is to raise the price to \$1,000 to cover the increased cost of materials and maintenance. There are approximately 150 benches at various locations throughout the Town. Board members felt that an increase to \$1,000 was rather steep, and the price was set at \$995 with a 20 year time limit.

**Workshop #4: Auction**

The auction of surplus items will be held soon.

- a) If the voters approve selling the Route 109 parcel, should it go to the auction or a sealed bid? The Board preferred a sealed bid with a minimum.
- b) There are two safety boats in storage and Saco has decided not to take them. The Board approved selling the boats at the auction.
- c) Date for the auction: between Fourth of July and Labor Day.

**7:00 PM – SELECTMEN'S MEETING****Special Presentation - Town Report & Departing Selectmen**

~The 2018 Town Report is dedicated to the Hall Family Foundation for their generous donations supporting improvements in Town, particularly the Library expansion.

~Selectmen Hobbs and Howarth are leaving the Board after 3 years. A plaque was presented to Mr. Howarth in recognition of his service. Mr. Hobbs is excused tonight and will receive his plaque at the next meeting.

**MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS****1. June 11<sup>th</sup> Town Meeting and FY'20 Municipal Budget Informational Hearing**

Mr. Carter summarized the warrant articles and budget items for next week's ballot. The net budget increase is 0.41%, salaries are increasing 5.54% and operating expenses are up 4%. We are under the State budget cap LD-1 by \$550,000 and are maintaining a 60-90 day operating reserve. The projected tax rate increase is \$0.05 for the municipal side and a total of \$0.13 including the school and county portions.

The warrant articles include hiring an additional full-time firefighter, selling Town-owned land on Route 109, and leasing Town land for a solar facility. Town Planner/Engineer Mike Livingston discussed the proposed zoning amendments, mainly "housekeeping" items to simplify the regulations for the public and Code Office.

When an adult entertainment business planned to open in Town, the Town Attorney recommended limiting areas where it could locate but not prohibit it. An emergency ordinance was drafted. The proposal is to allow these businesses only in the Light Industrial District.

Public comment was solicited and there was none.

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

**2. Public hearing on an amendment to Chapter 212-14, Vehicles and Traffic, of the Code of the Town of Wells regarding parking restrictions, violations and penalties.**

The latest draft policy limits parking at Drakes Island, Webhannet Drive and Mile Road. Fines for parking violations are increasing to bring them in line with the beach parking policy. Overnight parking is not allowed on roads and in parking lots. There will be room created in the parking lot for cars to turn around and leave when the lot is full. This should eliminate some of the congestion and backing up on the road.

Public comment was solicited.

~There are 5 handicap spaces at Drakes Island Road. This should be reduced to 3 or 4 and leave the others for the general public.

~People should be ticketed for loading/unloading in the parking lots.

~Prohibit RV's and allow only passenger cars and non-commercial vehicles at Drakes Island.

~Setting a 1 hour limit on Webhannet Drive is not welcoming in a tourist community. Would this be seasonal or year-round? It hasn't been decided yet.

~There should be a 2 hour time limit between 9 AM and 3 PM.

~Is there a Town map showing parking lots? The Chamber of Commerce publishes a map.

~Ticket vehicles that park outside the painted spaces.

Motion by Mrs. Chase, seconded by Mr. Roche, to continue the public hearing to June 18 and incorporate the revisions in the draft. Passed unanimously.

3. ***Richard M. Varano, dba: Billy's Chowder House, 216 Mile Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

***AND***

4. ***Richard M. Varano, dba: Billy's Chowder House, 216 Mile 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.

5. ***Dimitrios Mihns, dba: Cargo Pizza Company, 201 US Route 1, Scarborough, 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. ***Sovanna Neang, dba: Nom Bai Street Kitchen, 111 Sherbourne Street, Springvale, 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.

**7. Pamela Day, dba: Pam & Fam Forkin Good Grub, 57 Branch Road, Wells, 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.

**8. Jennifer Beatty, dba: Naviina Salon and Day Spa, 45 Wells Plaza, Suite 6, Wells, application for a Massage Therapist 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. Jason Lescalleet, dba: Naviina Salon and Day Spa, 45 Wells Plaza, Suite 6, Wells, application for a Massage Therapist 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.

**10. Bobbie Cuthbertson Jellison, dba: Naviina Salon and Day Spa, 45 Wells Plaza, Suite 6, Wells, application for a Massage Establishment 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. Dennis and Whitney McMahon, dba: Captain Satch, 793 Morrils Mills Road, North Berwick, 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. Sharon Meyers and Rebecca Desai, dba: Desyers, LLC, 238 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for a wedding to be held on June 22, 2019.**

**AND**

**13. Sharon Meyers and Rebecca Desai, dba: Desyers, LLC, 238 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for a wedding to be held on September 21, 2019.**

Public comment was solicited and there was none.

Mr. Howarth asked if this is the property where there are traffic problems and complaints. Mr. Carter said the Town is monitoring the situation. Chief Putnam spoke with the applicant and said the Department hasn't had any problems. Rebecca Desai said they educate their guests and all parking is on the premises. They have had no issues with the neighbors.

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

14. ***Good News:***

1) The Memorial Day Parade went very well thanks to Cindy Adamsky. Ogunquit worked with her and Lt. Chabot to participate in a joint parade.

2) Our former Harbor Master Chick Falconer passed away recently. The Harbor Advisory Committee wants to recognize him for his 20 years of service to the Town.

3) The high school graduation will be this Sunday at noon. 110 students are graduating.

4) The baseball team defeated Leavitt in the playoffs; next game will be against Freeport. Softball lost 7-6. Track: the 4x4 girls relay team set a school record and several students won state championships.

15. ***Open to the Public***

~Chief Putnam and Mrs. Chase played in the Alumni Golf tournament. The event raises funds for scholarships.

~Grub will be opening soon on Darling Drive near Dunkin Donuts.

~Congdon's sponsored a fundraiser for Sanfilippo Syndrome, raising \$8,700. The wrestling team has been working on this project.

~The Tour de Cure will be held this weekend.

~Thank you to Selectman Howarth for his service on the Board and his other community projects including the veterans' graves. Everyone was urged to vote next week and come to meetings, instead of writing complaints on social media.

***CURRENT AGENDA ITEMS***

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

There is a Warrant dated June 4, 2019 with expenses of \$377,181.44, no school payment, net payroll for the week ending 5/23/19 in the amount of \$74,809.14, net payroll for the week ending 5/30/19 in the amount of \$83,020.26, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$62,954.35 for total expenses of \$597,965.19.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated June 4, 2019 in the amount of \$597,965.19. Passed unanimously.

There is a General Assistance Warrant dated June 4, 2019 in the amount of \$200.17 consisting of \$101.62 General Assistance and \$98.55 from the Special Fuel Fund. The Fuel Fund balance is \$42,358.75.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated June 4, 2019 in the amount of \$200.17. Passed unanimously.

Mr. Ekstedt thanked the residents for their generosity in providing funds for General Assistance and the Fuel Fund.

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

a) ***Discussion and action on the acceptance of land for conservation.***

The land donation was discussed at an earlier workshop. The Conservation Commission recommends accepting this land which abuts The Heath.

Motion by Mrs. Chase, seconded by Mr. Roche, to proceed with the acceptance of land Map 048 Lot 11 approximately 3.9 acres offered to the Town by the Josephine F. Matthews Revocable trust which will be used as conservation land. Passed unanimously.

b) ***Discussion and action on the repricing of Memorial Benches.***

Repricing the benches was discussed at an earlier workshop. We are selling the benches for \$700, although we pay \$750 for them. Maintenance of the benches is also costly.

Motion by Mrs. Chase, seconded by Mr. Roche, to increase the price of memorial benches to \$995. Passed unanimously.

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

1. ***Town Manager***

- a) Appointment of John Campbell as Equipment Operator for PWD
- b) Appointment of Emily McPadden, Police Officer
- c) Appointment of Nate Hesselink as summer intern

2. ***Selectmen***

a) ***Annual Position Appointments***

Motion by Mrs. Chase, seconded by Mr. Roche, that the Board of Selectmen approve the annual position appointments as required by the State of Maine. Passed unanimously.

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

- 1. \$100.00 donation from Linda Hooper to the Town of Wells for the Summer Concert Series.

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. \$25.00 donation from Barbara Hanson of Elms Centre Gifts to the Town of Swells for the Summer Concert Series.

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

3. \$50.00 donation from Richard Horgan to the Town of Wells for the Harbor Buoy Art Project.

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

**NEW BUSINESS**

**1. Open to the Public**

~Thank you to Selectman Howarth for his service on the Board and contributions to the Town.  
~Mr. Howarth thanked his colleagues and the residents. He urged everyone to participate in the Town.

**2. Town Manager’s Report**

~Thank you to Mr. Howarth for his leadership the past 3 years.  
~The Route One bridge work is almost finished with final inspection scheduled for July 2.  
~Town Hall will close for an hour next Thursday, June 13 for the annual employee lunch.  
~The Memorial Day Parade was wonderful and we have a great summer ahead.  
~The light at Chase’s Getty is scheduled for next year. Everyone was urged to write to their legislators and the DOT commissioner.

**3. Adjournment**

Motion by Mr. Howarth, seconded by Mr. Roche, to adjourn. Passed unanimously.

Respectfully submitted,

Accepted by,



Cinndi Davidson,  
Meeting Recorder











