

## **SELECT BOARD MEETING - TUESDAY, MAY 17, 2022**

**5:00 PM – EXECUTIVE SESSION** – pursuant to MRSA 405 6(A) to meet with a firm to discuss the upcoming Town Manager search

Motion by Mrs. Chase, seconded by Mr. Foley, to go into Executive Session. Passed unanimously.

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

### **6:00 PM – SELECT BOARD MEETING**

Present: Vice Chairman John MacLeod, Selectmen Tim Roche and Bob Foley, Town Manager Larissa Crockett, Meeting Recorder Cinndi Davidson.

Present via ZOOM: Chairman Sean Roche, Selectman Kathy Chase

#### **Interviews**

**Recreation Committee:** Katie St. Pierre

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

#### **A. Public Hearing on Lodging License for USA Inn**

Speakers discussed the chaos and disorder at some local lodging facilities and the impact on our reputation as a family-friendly resort community. Town ordinances against long-term stays need to be enforced.

Motion by Mrs. Chase, seconded by Mr. Foley, to continue the public hearing to June 7. Passed unanimously.

#### **B. Public Hearing on Lodging License for Ne'r Beach Motel**

A representative of the motel is ill and cannot attend tonight. Residents who were supposed to be removed are still living there. Mr. Foley invited the owner to address the Selectmen and clarify what the plans are for ending the situation at the facility.

Motion by Mrs. Chase, seconded by Mr. Foley, to continue the public hearing to June 7. Passed unanimously.

#### **C. Public Hearing on Lodging License for the Majestic Regency Hotel.**

Counsel for the facility said that the owner plans to close from October 2022 to April 2023. Starting tomorrow they will be removing long term residents. Town Attorney Leah Rachin asked for a clarification of "long term." Mr. MacLeod discussed the land use ordinances and said that lodging facilities were never intended to become housing. Mr. Foley said that multiple police calls to a facility should be grounds for another public hearing and possible revocation of the license. Mr. S. Roche asked if there is 24 hour security. There are employees on duty 24 hours, but they are not qualified as trained security guards. The consensus was that on June 7 the Board wants a report on the number of residents staying longer than 28 days, and the number of calls to PD, FD and WEMS.

There was a public comment about the safety problem in town. Taxpayers pay for our emergency services, and the facilities should be charged for excessive calls. Mr. Foley said we are working on an ordinance to deal with nuisance calls. Police Chief Jo-Ann Putnam said the officers have been working with the managers and summarized the number of calls since December to the three facilities discussed tonight. When the police have to focus on a small area it takes their attention away from other parts of Town.

Motion by Mrs. Chase, seconded by Mr. Foley, to continue the public hearing to June 7, contingent upon a resolution of opening and closing dates and limiting guests' stays to no more than 28 days. Passed unanimously.

D. Public Hearing on release of funds for a survey of the Fenderson Wildlife Commons.

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. Foley, to close the public hearing and release up to \$40,000 from fund 0705, current balance \$243,779, for a survey of the Fenderson Wildlife Commons. Passed unanimously.

E. Coast to Coast Caterers, Inc., located at 835 Sanford Rd, Wells, ME, 04090, for a fulltime Malt Liquor, Wine, and Spirits License (R)

There were no public comments.

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

F. Derek Peters, dba: Apex Charters, LLC, located at 6 Fleming Ct, Kennebunk, ME, 04043, application for a Commercial Recreation Business License (N)

There were no public comments.

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

G. Daniel Durgin, dba: Sea-Gar Charters, located at 17 Clifford Lane, Wells, ME, 04090, application for a Commercial Recreation Business License (R)

There were no public comments.

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

H. Dennis Legere, dba: Reel Brothers Charters, mailing address PO Box 313, Moody, ME, 04054, application for a Commercial Recreation Business License (R)

There were no public comments.

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

**I. Town Manager’s report**

~The Memorial Day parade will begin at 9 AM Monday at the high school.

~Ongoing activities at Town Hall include the sale of beach stickers, property tax payments and early voting by absentee ballot. Beach stickers are being sold in the second floor meeting room. Absentee ballots can be placed in the secure drop box at the rear of the building.

**J. Open to the Public**

There were no public comments.

**CURRENT AGENDA ITEMS**

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

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Accounts Payable Warrant dated May 17, 2022 in the amount of \$2,677,675.37 and the General Assistance Warrant dated May 17, 2022 in the amount of \$1,188.27. Passed unanimously.

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

**a) Budget Presentation – Articles on Leases and Easements**

The ordinance requires Town Meeting approval to lease Town-owned property. The three properties affected are the Chamber of Commerce building, the dog park and the marina at the harbor. Easements are 1) to the Sewer District for their force main at the harbor and 2) a drainage easement on Robinson Road.

**b) Discussion of LD 2003: Town Engineer/Planner Mike Livingston and CEO Jodine Adams.**

The Governor has signed LD2003 concerning home rule and the regulation of Accessory Dwelling Units. Sections of our ordinance need to be revised to comply with state mandates. Density, setbacks, buffering and parking standards are affected. Mr. Livingston hopes to have the revisions ready for the November ballot. If they fail, more revisions can be prepared for next year’s Town Meeting. Towns have to change their ordinances by July 2023. According to Ms. Rachin, town standards can be more lenient than the state’s. Mr. MacLeod wanted to avoid creating more AirBNB units. Mr. Livingston said the Legislature’s intent was to create more affordable housing units. The number of units allowed on a lot depends on whether the water and sewer are public or private. Ms. Adams said that one way to control growth is with density regulations. An existing non-conformity cannot be expanded, but the town can’t prohibit expansion within the footprint. The consensus was to have language ready for the November ballot in case changes are necessary.

**c) Award of the Crushing Bid**

Motion by Mrs. Chase, seconded by Mr. T. Roche, to award the Crushing bid to Snook’s Mobile Screening LLC in the amount of \$4.50 per ton. Passed unanimously.

d) Award of the Bathroom Cleaning Services Bid

Motion by Mrs. Chase, seconded by Mr. T. Roche, to award the Bathroom Cleaning Services bid to Perfect Scents in the amount of \$165 daily and \$40 call out. Passed unanimously.

e) Award of survey bid for the Fenderson Wildlife Commons

Motion by Mrs. Chase, seconded by Mr. T. Roche, to award the bid for a survey of the Fenderson Wildlife Commons to Attar Engineering in the amount of \$48,000 with the work to be completed by August 2023. Passed unanimously.

f) Presentation of the Annual Report dedication

The 2021 report is dedicated to the Board, staff and members of the Wells-Ogunquit Senior Center.

g) Update on the CPUC process and next steps

Mr. Livingston said the Committee hopes to have this on the November ballot when a heavy voter turnout is expected. Because of the tight schedule for ballot items, he recommended a joint public hearing with the CPUC and Select Board.

h) Discussion and possible action to schedule a public hearing on changes to Chapter 124, Harbor, of the Ordinance

Harbor Master Mike Yorke reported on the change to the wait list as recommended by the Harbor Advisory Committee. A separate commercial list will be maintained for the west side of the harbor, and the definition of commercial will be tightened.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to schedule a public hearing for Tuesday, June 7, 2022 at 6:00 pm in the Littlefield Meeting Room, 208 Sanford Rd, on changes to Chapter 124, Harbor, of the Ordinance. Passed unanimously.

i) Discussion and action to approve Quitclaim Deeds for the following property that had a foreclosure date of March 16, 2022. The 60 day buy back period for the property ended May 16, 2022.

Rennie, Rachel. Property is known as parcel number 0114/038-00W.7. Payment was received to pay FY 20, FY 21 and FY 22 on May 9, 2022. Quitclaim deed releases lien filed in book/page 18378/452.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve and sign the Quitclaim Deed to release the lien on the property listed above. Passed unanimously.

j) Appointment of Kerri Van Schaack as Warden for the June 14, 2022, General Election and appointment of Brenda Layman as Deputy Warden for the June 14, 2022, General Election.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to appoint Kerri Van Schaack as Warden and Brenda Layman as Deputy Warden for the June 14, 2022, General Election. Passed unanimously.

k) Discussion and action on certifying the 2022 Warrant and Notice of Election calling for the Wells – Ogunquit Community School District #18 Budget Validation Referendum.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to certify the 2022 Warrant and Notice of Election calling for the Wells – Ogunquit Community School District #18 Budget Validation Referendum. Passed unanimously.

l) Resignations:

- Jamie Bradish, Shellfish Committee
- Ryan Liberty, Shellfish Committee
- Ryan Liberty, Harbor Advisory Committee
- Kaitlyn Purcell, Wells Conservation Commission
- Larissa Crockett, Town Manager

The resignations were acknowledged by the Board.

m) Appointment of Interim Manager and Town Manager search

Motion by Mrs. Chase, seconded by Mr. T. Roche, to appoint Bill Giroux as the Interim Town Manager as of Thursday, May 26, 2022 and to sign a contract with Eaton Peabody for an executive search for the next town manager. Passed unanimously.

n) Discussion and action to accept donations and bequests:

**\$178.00** from Various Library Users to the Wells Public Library.

**\$1,660** from the Wells Public Library Foundation to the Wells Public Library

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

o) Discussion and action on approving minutes of the April 26, 2022, Select Board meeting.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept the minutes of the April 26, 2022, Select Board meeting. Passed unanimously.

p) Discussion and action on approving the minutes of the May 3, 2022, Select Board meeting

Motion by Mrs. Chase, seconded by Mr. T. Roche, to accept the minutes of the May 3, 2022, Select Board meeting. Passed unanimously.

## NEW BUSINESS

1. Open to the Public

Board members thanked Ms. Crockett for her service to the Town and wished her well with her future activities. She will be the executive director of the Kennebunkport Heritage Housing Trust working on affordable housing.

2. Good News

~The plovers are nesting. Unfortunately, we lost 3 nests due to high tides, but it is early in the season and they may rebuild. The latest count was 13 nesting pairs. There is a nest near Public Way #14 and that area has been blocked off. If the birds are acting agitated, people should move away quietly.

~Drug Take Back Day was a success; 175 lbs. of drugs were collected in Wells and 21, 216 lbs. statewide.

~Mr. MacLeod thanked Steve at Graphics Coop in Alfred for obtaining a T Rex t-shirt.

~Mr. T. Roche reported on high school activities. The junior class held their prom at Laudholm Farm last weekend. Graduation will be Friday, June 3 at 6 PM. The parade will be Wednesday, June 1 starting at 6 PM at the junior high going down to the Ogunquit Playhouse. Lacrosse, baseball and softball teams are doing well.

~Mrs. Chase reported on activities at the Senior Center. The Plant & Pie Sale will be May 28 and the Fashion Show will be June 3.

3. **EXECUTIVE SESSION:** Pursuant to 405 6(A) to discuss applicants to various committees

Motion by Mr. Foley, seconded by Mr. T. Roche, to go into Executive Session. Passed 3-0.

Motion by Mr. Foley, seconded by Mr. T. Roche, to come out of Executive Session. Passed 3-0.

4. Appointment of committee members

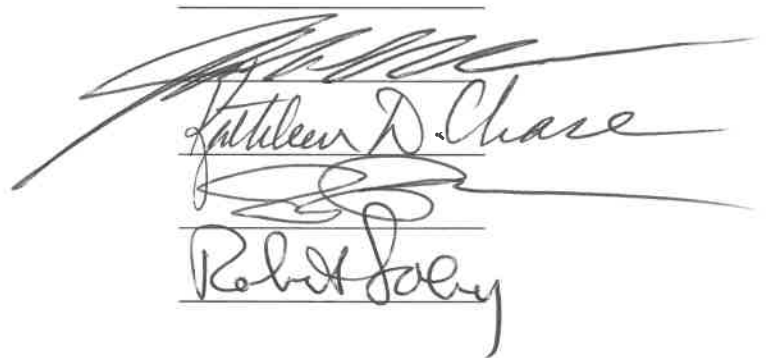
Motion by Mr. Foley, seconded by Mr. T. Roche, to appoint Katie St. Pierre to the Recreation Committee. Passed 3-0.

5. Adjournment

Motion by Mr. T. Roche, seconded by Mr. Foley, to adjourn. Passed 3-0.

Respectfully submitted,

Accepted by,



The image shows two handwritten signatures. The first signature is for Kathleen D. Chase, written in cursive. The second signature is for Robert Foley, also in cursive. Both signatures are written over horizontal lines.

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Cinndi Davidson,  
Meeting Recorder