

SELECTMEN'S MEETING - TUESDAY, JUNE 6, 2023

5:00 PM – WORKSHOP – Route One Corridor Study Update: Also present: PWD Carol Murray, VHB representatives Tony Grande and Jason Kealey, MDOT representative Marty Romey

Ms. Murray said the goal is to “have the corridor function in July the way it does in December.” An earlier meeting with Town officials produced a problem list for the project to resolve. A road safety audit will identify high crash locations. Bicycle traffic increases in summer with residents, tourists and seasonal workers. Bike lanes, grassy strips and flashing lights at crosswalks are being considered. Density of driveways has been identified as a problem. There are several locations where traffic lanes shift, and an apparent through lane becomes a right turn lane, forcing through traffic to move over (northbound at the entrance to Wells Plaza and at Mile Road approaching Irving, southbound at 9B). Advance lane use signage is recommended. The crosswalk and pedestrian access at Rtes. 1 and 109 should be improved. Suggestions included a light at Rte. 1 and Chapel Road, and a one-way entrance to Harbor Road. Signal timing will be part of the study. Mr. Roche requested a traffic safety education program for the summer guest workers. Many of them wear dark uniforms in the restaurants. Reflective slap bands could be provided.

A stakeholder meeting and public hearing will be scheduled.

5:45 PM – INTERVIEWS FOR VARIOUS BOARDS AND COMMITTEES

- **Nick Tricarico** - Comprehensive Plan Update Committee
- **Karla Bergeron -Wilcox** – Personnel Advisory Board

6:00 PM – SELECTMEN'S MEETING

Pledge of Allegiance

Special Guests: Visit from Santa and Mrs. Claus

Mr. Roche introduced Eugene and Mary Ellen Fitzpatrick and discussed their many community activities. Their annual Fourth of July parade is a special event at the beach. A State of Maine flag will be flown on the State House on Christmas and presented to Santa after the holiday. Mr. Roche read the certificate.

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

Present: Chairman John MacLeod, Selectmen Kathy Chase, Tim Roche, Scott DeFelice and Bob Foley, Town Manager Mike Pardue, Volunteer and Events Coordinator Rebekah Kelley, Meeting Recorder Cinndi Davidson

1. Informational Public Hearing on the FY'24 Municipal Budget and Warrant Articles : Mr. Pardue and Ms. Sanborn

The recommended budget is \$13,883,000 which is under LD-1. We are proposing a 39¢ increase. Several new hires are proposed to meet the growing needs of the community: Fire Department, Police

Department, Code Enforcement, Assessing and Library. Our population of 12,000 increases to 50,000 in summer. We have a good bond rating with Moody's.

There were no public comments.

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

2. Lucky Dog Tasting Room LLC, dba: Batson River Fish Camp, 73 Mile Road, Wells, application for a full-time Malt, Wine and Spirits Liquor License. (R)

There were no public comments.

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

3. Lucky Dog Tasting Room LLC, dba: Batson River Fish Camp, 73 Mile Road, Wells, application for a Special Entertainment Permit. (R)

There were no public comments.

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

4. Joseph Ryan, dba: Feile Irish Pub, 1619 Post Road, Wells, application for a full-time Malt, Wine, and Spirits Liquor License. (R)

There were no public comments.

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

5. Joseph Ryan, dba: Feile Irish Pub, 1619 Post Road, Wells, application for a Special Entertainment Permit. (R)

There were no public comments.

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

6. Dennis Nolette, dba: Home Town Pizza, 1517 Post Road, application for a full-time Malt Liquor License. (R)

There were no public comments.

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

7. Gerald Sterritt, dba: North East Ice Cream LLC, 44 Rigby Road, So. Portland, application for an Ice Cream Truck License. (R)

There were no public comments.

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

8. Dennis and Whitney McMahon, dba: Captain Satch, 793 Morrills Mills Road, North Berwick, application for a Commercial Recreation Business License. (R)

There were no public comments.

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

9. Good News

~Staff training covering conflict resolution and critical incident management was held yesterday and today. 60 employees were able to attend.

~The Code Enforcement Office now closes at 3 PM to close out the day's work and prepare for the next day.

~Lifeguards have been working weekends since Memorial Day. They will receive training in pre-hospital trauma care.

~There will be a meeting tomorrow at 8 AM with ACOE about the dredge. The Governor has approved our taking by eminent domain if necessary to re-nourish the beaches with sand.

~The Parks & Recreation Department is getting ready for summer camp.

~The Tax Office has been quite busy selling trash bags, Transfer Station stickers, beach stickers plus their regular transactions.

~Mr. Roche reported that 109 seniors graduated last Friday for a 100% graduation rate. Senator King was the speaker. The last day of school will be next Wednesday.

Our teams are doing well: boys' softball 14-6 over Fryeburg today, next game will be Thursday at York. Baseball at home Thursday vs. Greely. Lacrosse games at home Saturday: boys at 10 vs. Freeport and girls at 1 vs. Maranacook. Our track team went to the state meet.

~Mr. Foley was impressed with the number of scholarships the community provides for the students. This year the total was \$170,000. Mr. DeFelice congratulated the students and staff for impressive ceremonies at the awards night and graduation.

10. Open to the Public

~The Town Clerk's office has a list of the candidates for Town offices that will be on the ballot if people want to review the list in advance.

11. Department Updates: Town Engineer/Planner Mike Livingston

Mr. Livingston discussed the activities of the Planning Board, Staff Review Committee, Comprehensive Plan Update Committee and the Lodging Committee in reviewing and approving development projects.

There are currently 6 subdivisions, 2 commercial projects and 2 proposed zoning changes underway. The revised Comprehensive Plan is expected to be on the June 2024 ballot. Other projects include workforce housing, regulating short term rentals and lodging licenses. The Town averages 69 new dwelling units per year, 103 acres of undeveloped open space per year, and 82 acres per year of conservation land. \$200,000 is added to the land bank for future purchases. There is also open space owned by the water district, Rachel Carson and various land trusts.

CURRENT AGENDA ITEMS

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

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve and sign the Accounts Payable Warrant dated June 6, 2023 in the amount of \$2,761,104.36, and the General Assistance Warrant dated June 6, 2023 in the amount of \$1,646.46. Passed unanimously.

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

a) FY'23 Third Quarter Financial Report.

Finance Director Jodie Sanborn reviewed the quarterly report. The balance sheet position decreased by \$6,944,852 as tax collections are down in that quarter. Banking and Investments and Accounts Receivable decreased. Two trucks were purchased for Public Works and lights were purchased for the Fire Department. Beach Enterprise (current balance \$259,999) decreased as some invoices came due, while Recreation Enterprise (current balance \$445,940) increased with winter and spring programs. Beach stickers are being sold and meter collections start Memorial Day weekend. Salary and operating expenses are generally at 75% expended at the end of the third quarter.

b) Discussion and action on 1) a proposed Zoning Text Change to allow student housing in hotels and; 2) a Zoning Map Change proposal to create a new Dormitory Housing Overlay Zoning District to be Established for Map 43, Lot 3A. Also present: Chris Burbank, Director of Strategic Initiatives and Partnerships, YCCC.

Mr. Livingston described the 28-day limit for hotel guest stays, which makes it difficult for students being housed there. The text change would allow students to stay for the school year. Creation of an overlay zone would allow the college to build a dormitory on campus, which is not permitted in the RA and R Zones.

Mr. Burbank discussed student housing at the motel. There were 22 students each semester and they came under the 28-day rule. It was disruptive and expensive to move out every 28 days. The college's long-range plan includes attracting new residents and workers to this area, and they propose using the dormitory for workforce housing over the summer.

Mr. Foley asked if the change would be for a specific hotel or any hotel. He served on the committee when the college was established in Wells, and there were discussions then about dormitories and seasonal housing. Mr. Livingston said the Code Office handles licensing, and there would have to be an agreement

between the college and hotel re: the number of units and length of stay. Mrs. Chase supported a dormitory on campus but was opposed to changing occupancy limits at hotels. Mr. Livingston's memo contained the 6 criteria for the Selectmen to consider. Mrs. Chase was concerned about additional work for the Code Office. Mr. Foley said the burden of record keeping should be on the college, not the hotel or Code Office. Mr. DeFelice said that the college was established at Village by the Sea until a campus could be constructed, and he supported reaching out to the lodging facilities again. Having a dormitory available for workforce housing in the summer would be an asset to the community. Mr. MacLeod supported the idea of an overlay district, but was opposed to removing the occupancy restriction. Mr. Roche asked about supervision and safety of the students. Mr. Burbank said they have resident RA's and a full-time RD who work with the college safety staff. The students share a floor with other hotel guests and there were no complaints. Most students are from York County, with some from out of state or other countries. Their issues include housing insecurity and transportation insecurity.

MOTION #1: Motion by Mrs. Chase, seconded by Mr. DeFelice, to receive the Zoning Text Change Application and the Zoning Map Change Application submitted by the York County Community College. Passed unanimously.

MOTION #2: Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the one application fee for both applications. Passed unanimously.

MOTION #3: Motion by Mrs. Chase, seconded by Mr. DeFelice, that the Zoning Text Application as presented is in general conformance with Town Code, Chapter 145-6 (D), 1 through 6, but may need revisions. Passed 3-2 with Mrs. Chase and Mr. MacLeod opposed.

MOTION #4: Motion by Mrs. Chase, seconded by Mr. DeFelice, that the Zoning Map Change Application as presented is in general conformance with Town Code, Chapter 145-6 (D), 1 through 6, but may need revisions. Passed unanimously.

MOTION #5: Motion by Mrs. Chase, seconded by Mr. DeFelice, to place both applications on the June 26, 2023 Planning Board Agenda for additional review and comment. Passed 3-2 with Mrs. Chase and Mr. MacLeod opposed.

c) Discuss an Amendment to Credit Purchase and Sale Agreement by and between Rumford Solar, LLC, and the Town of Wells.

The Town overestimated the amount of energy we would be using, and are now losing \$28,000. We revised the projected use and now have a \$44,000 gain.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to authorize the Town Manager to negotiate this amendment and move forward with the agreement with Rumford Solar. Passed unanimously.

d) To hear an update from Chief Code Enforcement Officer, Jodine Adams, on the status of Lodging Licenses.

The Lodging Committee reviewed 63 licenses and 11 are still outstanding. Mr. Foley noted that the recent fire in Kittery stressed the importance of maintaining accurate records and facilities following the regulations.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to schedule a public hearing for 6 PM on June 20 in the Littlefield Meeting Room, 208 Sanford Road to review lodging license updates. Passed unanimously.

e) Discussion and action to Consider the Appointment of Harbormaster Michael Yorke to the Southern Maine Dredge Authority Board of Directors.

Wells is one of the founding members of the Authority and Mr. Yorke has been involved since the beginning. The Authority purchased the dredge for local communities to use. Their next project is permit processing. Preti Flaherty has approved the by-laws.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to appoint Harbormaster Michael Yorke to the Southern Maine Dredge Authority Board of Directors. Passed unanimously.

f) Discussion and action on Updates, Personnel and Committee Assignments, Resignations, and Issues:

The Town Manager welcomed new employees Lesley Nawfel (Finance Office), Stacey LePage (Code Enforcement Office), and Shawn McLean (Public Works).

i. Resignation of Justine Belanger from the Recreation Commission.

ii. Resignation of Marisa Caputo from the Budget Review Committee.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the resignations and write letters thanking them for their service. Passed unanimously.

g) Discussion and action to accept Donations and Bequests.

1. \$30.00 donation from Various Library Users to the Wells Public Library.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the generous donations. Passed unanimously.

h) Discussion and action to approve minutes of the May 16, 2023 Selectmen's meeting.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve the May 16, 2023 Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~Chief Putnam thanked everyone involved with the Memorial Day parade, especially thanks to Rebekah Kelley for organizing it.

~There was a question about the ballot question eliminating references to a “Historic Planning Board.” When changes were made the former language was not deleted. Anything previously approved is grandfathered.

2. Town Manager’s Report: Covered under Good News.

3. **EXECUTIVE SESSION** - To discuss the applicants to various boards and committees, pursuant to 1 M.R.S. § 405(6)(A).

Motion by Mrs. Chase, seconded by Mr. DeFelice, to go into Executive Session to discuss the applicants to various boards & committees, pursuant to 1 M.R.S. § 405(6)(A). Passed unanimously.

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

4. Appointment of members to various boards & committees.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to appoint Nick Tricarico to the Comprehensive Plan Update Committee and Karla Bergeron -Wilcox to the Personnel Advisory Board. Passed unanimously.

5. Adjournment

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

Respectfully submitted,

Accepted by,

The image shows four handwritten signatures in blue ink, each written over a horizontal line. From top to bottom, the signatures appear to be: a large, stylized signature; a signature that reads 'Julie D. Chase'; a signature that reads 'Robert W. DeFelice'; and a signature that reads 'Robert W. DeFelice'.

Cinndi Davidson,
Meeting Recorder

