

SELECTMEN'S MEETING - TUESDAY, AUGUST 2, 2022

5:00 PM – WORKSHOPS:

1. Lodging Facility Committee Mission

Also present: CEO Jodine Adams and Town Engineer/Planner Mike Livingston.

Ms. Adams has split the Committee into “Lodging Facilities” and “Short Term Rentals.” We are advertising for members on social media sites and 7 seems to be the preferred number for each. The target date for the final report to the Selectmen is February 1. The revised license application should be ready by January 1 for license renewals. License fees will go into an enterprise fund for enforcement. By January, the Committee should have an idea of budget impacts on the Code Office.

Short term rentals: Mr. Giroux suggested letting the Committee develop the rules for short term rentals with input from the Town Attorney. Mr. MacLeod said business licenses should be required. An open forum for public comments is advisable. The major issues with these units are life safety concerns and public nuisances. Mrs. Chase asked who is responsible if there is a problem. Mr. Livingston said the burden is on the license holder, and the license can be revoked for a violation. If a community has a licensing requirement for short term rentals and a facility isn't licensed, the on-line services won't accept registrations for it. The Town can maintain a list of authorized inspectors, with applicants paying a fee into escrow to cover the inspections. The consensus was to have Staff continue working on this and report back to the Board.

2. LD 2003 Discussion

A new State law limits the Town's authority on controlling new dwelling units. Many of our ordinances on multi-family, affordable housing and accessory dwelling units need to be revised. Mr. Livingston has begun highlighting the necessary changes, including density, parking, setbacks and buffers. Mr. Giroux recommended targeting the June 2023 ballot rather than rushing it for this November.

3. Nonconforming Mobile Home Parks

There is a potential conflict between the State statute and Town ordinance on density requirements for parks. The owner of one park is about to retire and wishes to sell an adjacent parcel of land. The ordinance doesn't address lot size requirements for existing grandfathered parks. Mr. Livingston has drafted a new section of the Land Use Ordinance for existing non-conforming parks based on buffering, open space and water/sewer systems. The Selectmen approved the changes for the 3 applicable parks, and the changes will be submitted to the Planning Board and ultimately to the voters.

5:50 PM – Interviews for various Boards and Committees

- Robert Arnold – WEMS Board Reappointment
- Paul Dever – Harbor Advisory Committee Reappointment

6:00 PM – SELECTMEN'S MEETING

Pledge of Allegiance

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

Present: Chairman John MacLeod, Selectmen Kathy Chase, Scott DeFelice, Tim Roche and Bob Foley, Interim Town Manager Bill Giroux, Meeting Recorder Cinndi Davidson.

1. Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse 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.

2. Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse 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.

3. Old Marsh LLC, dba: Old Marsh Country Club, 445 Clubhouse Road, Wells, application for an Auxiliary License for a mobile service bar. (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.

4. Authorize and execute Contract and Professional Services Agreement for Mike Pardue, Incoming Town Manager

Motion by Mrs. Chase, seconded by Mr. DeFelice, to authorize and execute the Contract and Professional Services Agreement for Mike Pardue, Incoming Town Manager. Passed unanimously.

5. Town Manager's report
 - The Solid Waste Committee is working with DPW and Finance on the financial analysis for the Selectmen. The report will be ready for the next meeting in 2 weeks.
 - Wayfinder Signage: Police Chief Jo-Ann Putnam and CEO Jodine Adams found some beautiful old signs that can be refurbished and reused, supplementing the signs we are purchasing. DPW personnel are cleaning up old signs in the parking lots.

6. Open to the Public

~Selectmen were urged to hold a workshop and public hearings on climate change and energy usage and focus on what we can do as a community.

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 August 2, 2022 in the amount of \$1,195,802.11. There was no General Assistance Warrant. Passed unanimously.

2. Update, discussion and action on Committees, Projects, Issues, Purchases and Personnel
 - a) Discussion and action to prioritize use of ARPA Funds for Infrastructure needs and schedule a public hearing.

Communities have asked the federal government to allow ARPA funds for infrastructure needs due to COVID. Mr. Giroux and the staff have developed a prioritized list of projects:

- Guardrail repairs throughout the town
- FEMA Halloween storm town grant match
- Eastern shore pier and related improvements
- Route One over Bragdon Brook repair
- Webhannet North seawall repair
- Coles Hill emergency repairs
- Public Safety Additional parking lot
- Station 2 sprinkler system
- New water supply at Recreation Facility

The Town received \$1,128,103.63 which needs to be obligated by December 31, 2024 and fully spent by December 31, 2026. The 2020 infrastructure bond covers Swamp John Road, Pine Ledge Drive, Robinson Road and part of the Drakes Island project. The second bond will cover the Drakes Island Bridge, Charles West Bridge, Bragdon Road culverts, Newhall Bridge and Coles Hill Bridge. We are expecting federal funds for the Drakes Island project.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to schedule a public hearing on August 16, 2022 at 6PM, 208 Sanford Road to prioritize use of ARPA Funds. Passed unanimously.

- b) Discussion and action to approve the Fire Truck Lease Resolution.

The Town Attorney has approved the lease documents. Approval of the Selectmen is needed to execute the contract.

Motion by Mrs. Chase, seconded by Mr. DeFelice, that the Resolution entitled, "Resolution to Authorize Lease Purchase of a New Fire Truck in the Principal Amount of \$504,267.90" be adopted in form presented at this meeting, and authorize the Town Manager to sign the Master Equipment Lease Purchase Agreement. Passed unanimously.

c) Discussion and action to accept a Fire System Easement.

The approval of a subdivision on Magnolia Lane includes the installation of a cistern. It will be owned and maintained by the developer and eventually by the Homeowners Association, and an easement permits the Fire Department to access and use the cistern for inspections, testing and firefighting. The Board needs to accept the easement so it can be recorded.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the Fire System Easement. Passed unanimously.

d) Discussion of Parking Study.

The Parking Committee's report was finalized in 2020. Mr. Foley suggested a workshop after Board members have a chance to review it. The recommendations include parking policy changes, lot layouts and numbers of spaces as proposed by Gorrill-Palmer. There is a recommendation to make Riverside Drive one way once the DPW completes their drainage work and the street is restriped. Changes along Webhannet Drive should wait until the seawall repairs are completed. Mr. Giroux asked for a list of the recommendations from the earlier report, input from DPW and the budget implications. He recommended a workshop in September/early October. The first public hearing can be scheduled for September 6 on the Riverside Drive changes.

e) Discussion and action to approve a Corrective Release Deed for the following:

- Angelucci, Joseph and Angelucci, Patricia. Property is currently known as parcel number 0117/058-124. Tax lien was filed on September 26, 2000 with book/page 10233/61. A municipal release deed was filed on November 12, 2012 to discharge the tax lien, however the book/page reference was incorrectly stated as 10233/60.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve and sign the Corrective Release Deed to release the lien on the property listed above. Passed unanimously.

f) Discussion and action to approve Release Deeds for the following:

- Angelucci, Joseph and Angelucci, Patricia. Property is known as parcel number 0117/058-124. Tax lien was filed on September 18, 2001. A discharge or quit claim deed was never filed at the Registry of Deeds. Tax records show that there are no outstanding taxes due on the property. Release deed releases lien filed in book/page 10966/157.
- Angelucci, Joseph and Angelucci, Patricia. Property is known as parcel number 0117/058-124. Tax lien was filed on October 18, 2002. A discharge or quit claim deed was never filed at the Registry of Deeds. Tax records show that there are no outstanding taxes due on the property. Release deed releases lien filed in book/page 12080/340.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve and sign the Release Deeds to release the liens on the property listed above. Passed unanimously.

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

- i. Marybeth Pordon has accepted the Assistant Tax Collector/GA Administrator position – starts August 2nd.

Mr. MacLeod asked if we conduct exit interviews when employees leave. There haven't been any resignations since Mr. Giroux came. He has been looking at pay bands and we are falling behind other towns in this area. Pay scales need to be considered during the budget process. The PAC will be asked to address the police contract negotiations, pay bands and the 6 year staffing plan.

- h) Discussion and action to accept donations and bequests:

- 1. \$179.40 from Various Donors to the Wells Harbor Shellfish Lab.

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

- i) Discussion and action on approving minutes of the July 19, 2022 Selectmen's meeting.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve the July 19, 2022 Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

- 1. Open to the Public

~Mr. Foley urged everyone to visit the new shellfish lab at the harbor.

~Chief Putnam reported that Harborfest will be Saturday, August 6 from 11AM-3 PM.

- 2. Good News

~Harbor Master Mike Yorke reported that Senator Collins facilitated a federal grant of \$1,000,000 for the dredge. The federal portion is fully funded, and our portion will come from the Enterprise Fund. A meeting with ACOE is scheduled.

~Senator Collins also is supporting \$750,000 for a regional training facility for police, firefighters and EMS personnel. The facility will be located near the jail.

- 3. **EXECUTIVE SESSION:** To discuss the applicants to various 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 Mr. Foley, seconded by Mr. Roche, to reappoint Robert Arnold to the WEMS Board and to reappoint Paul Dever to the Harbor Advisory Committee. Passed unanimously.

5. Adjournment

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

Respectfully submitted,

Accepted by,



Matthew W. Chase

Robert Foley

Cinndi Davidson,
Meeting Recorder