

SELECTMEN'S MEETING - Tuesday, August 15, 2023

4:15 PM – EXECUTIVE SESSION - To hold an Executive Session, pursuant to 1 M.R.S. § 405(6)(C), with the Town Manager, Town Attorney and Keith Fletcher, Conservation Commission, to discuss the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to enter into Executive Session, pursuant to 1 M.R.S. § 405(6)(C), with the Town Manager, Town Attorney and Keith Fletcher, Conservation Commission, on discussion or consideration of the condition, acquisition or the use of real or personal property permanently attached to real property or interests therein or disposition of publicly held property or economic development only if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency. Passed unanimously.

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

4:45 PM – EXECUTIVE SESSION – To hold an Executive Session, pursuant to 1 M.R.S. section 405(6)(E), to consult with the Town Attorney regarding the Town's legal rights and responsibilities regarding beach use.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to enter into Executive Session, pursuant to 1 M.R.S. section 405(6)(E), to consult with the Town Attorney regarding the Town's legal rights and responsibilities regarding beach use. Passed unanimously.

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

5:00 PM – EXECUTIVE SESSION – To hold an Executive Session, pursuant to 1 M.R.S. section 405 (6)(E), to consult with the Town Attorney regarding the Board's legal rights and responsibilities concerning general enforcement and licensing issues regarding lodging facilities.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to enter into Executive Session, pursuant to 1 M.R.S. section 405 (6)(E), to consult with the Town Attorney regarding the Board's legal rights and responsibilities concerning general enforcement and licensing issues regarding lodging facilities. Passed unanimously.

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

5:45 PM – INTERVIEWS FOR VARIOUS BOARDS AND COMMITTEES

- Pamela McDonough: Lodging Facility Advisory Committee Term Renewal
- Jim MacNeill: Lodging Facility Advisory Committee Term Renewal. Postponed.
- David Quist: Lodging Facility Advisory Committee

- Susan Finnell: Budget Review Committee and Board of Assessment Review
- Phillip Breton: Harbor Advisory Committee Term Renewal. Postponed.

6:00 PM – SELECTMEN’S MEETING

Pledge of Allegiance

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS

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

1. Continuation of Public Hearing on a proposed Zoning District Map change per Section 145-6 of the Town Code as applied for by the Manuel Martinez Real Estate Trust to change a portion of land currently located in the Residential A District to become part of the adjacent General Business Zoning District, Tax Map 120, Lots 2A, 3A and 3B.

There were no public comments.

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

Mr. MacLeod reported that the Town has received a letter withdrawing the request for a zoning change.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the withdrawal letter. Passed unanimously.

2. Public Hearing on a proposed Zoning District Map and Text Change for Tax Map 43, Lot 3A to create a new College District.

Town Engineer/Planner Mike Livingston described the proposal to create a new College District on the College property for the construction of dormitory housing. The Planning Board has reviewed the application and recommended moving it forward. The Town Attorney recommended removing the reference to workforce housing.

One speaker supported the current temporary housing arrangement and the proposed zoning change for the dormitory.

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

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the revisions to the proposed Zoning District Map and Zoning Text Changes for Tax Map 43, Lot 3A as recommended by the Town Attorney. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to place the proposed Zoning District Map and Zoning Text Changes for Tax Map 43, Lot 3A on the November 7, 2023 Special Town Meeting Warrant. Passed unanimously.

3. Public Hearing on “An Ordinance to Amend the Charter of the Town of Wells to Convert the Position of the Town Clerk from an Elected to an Appointed Position”.

This item passed on the June ballot but did not receive the required number of votes. Mr. Pardue distributed revised language drafted by the Town Attorney. If there is a vacancy before 2026, the Selectmen could appoint a qualified person to fill the vacancy.

There were no public comments.

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

Motion by Mrs. Chase, seconded by Mr. DeFelice, to place the proposed amendment to the Charter of the Town of Wells to Convert the Position of the Town Clerk from an Elected to an Appointed Position on the November 7, 2023 special election ballot. Passed unanimously.

4. Wells Reserve at Laudholm, 342 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for a Crafts Festival to be held on September 9 and 10, 2023 at Laudholm Farm.

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. Good News

~The lifeguard competition will be held tonight and tomorrow night.

~The Town received a dividend check for \$10,814 due to our excellent loss prevention efforts and workers' comp. ratio.

6. Open to the Public (10 minutes)

~There was a presentation on recent storm damage and coastal changes at Webhannet Drive. Construction of the jetty has made major changes to the beach. The residents hope to identify a contact person at DEP who can advise them on disaster relief.

~Warrior Football is starting: Saturday, August 19 the team hosts Marshwood. Thursday, August 24 the team visits Westbrook. On Labor Day Weekend, Saturday, September 2 the team plays Oak Hill at Sabattus. Friday, September 8 is a home game against York. The annual salute to our veterans will be on September 29 when the team hosts Poland. Any veterans or current

military who have recently moved to Wells are encouraged to contact Cindy Roche at the high school to be included in the celebration.

7. Department Updates

a. Public Works Department

Public Works Director Carol Murray presented an update of the department's activities.

OPERATIONS

~**Transportation Center:** Patsy Bragdon and her volunteers do an amazing job helping our travelers. They can use more volunteers. There is only one taxi providing rides to the beach. A second platform to be constructed will be a big improvement with train service.

~**Transfer Station:** there are 3 full time employees and several part time and on call people. Casella is the tenant. Solid waste is a major issue.

~**The Beach:** this is the season when we need to protect the piping plover nests. The Beach Management Agreement prohibits us from removing the seaweed. The plover nests appear around the beginning of April, and the lifeguard stations have to be set out carefully. It also impacts beach cleaning.

~The sign shop makes our traffic signs, both regulatory and informational. Sign theft is a problem—stolen stop signs have resulted in fatal traffic accidents. When a street sign was stolen recently WEMS had difficulty responding to an emergency call.

~Picking up dead animals: deer along the roads, seals on the beach.

~Filling potholes. This is critical for public safety. The Department is testing some new material, more expensive but it seems to be working well.

~Mowing. The mower has broken down twice and is out for repair. A new head costs \$14,000. They have rented a flail mower with a much longer reach. The road sweeper also broke down.

~Storm clean-up: The January storm was very destructive. Cutting and chipping branches continues. The arborist is working on a vegetation management plan, as well as the emerald ash borer problem. Milliard is helping with the grading.

~**Staffing:** The department needs help with summer maintenance. Seasonal drivers are hired to help with snow plowing. Drivers need a CDL license. Routes are 4 hours.

INFRASTRUCTURE

~Dubois & King did an assessment of the seawall after the 2018 storm. A major infrastructure review covered Drakes Island, the Merriland River culvert on Bragdon Road, Newhall Road and Webhannet Drive. A bond was issued and funding was received in April.

Bragdon Road is being posted for a 3,000 lb. limit. There will be messages on the Town web site, contractors and school bus drivers will be notified. Detour signs will be posted. Shaw Brothers has been helpful. Ms. Murray is still waiting for a reply from ACOE. The window to do the work is June to September to protect the fish in the river. The snowplows will have to plow from each end and remove the snow. Closing the road for the winter was proposed.

Mr. Foley said staffing should be a priority, reviewing the wage scale or hiring contractors. The next budget cycle needs to look at bonding. CDL training and the MDOT licensing requirements are expensive and onerous. Our pay scale needs to be competitive with area towns and still meet the union agreement. Mr. Foley was concerned about the fire risk from all the storm damage that hasn't

been cleared. Ms. Murray said that there is extensive damage on private property and the landscapers are busy working with homeowners. Much of the brush is blocking roadside ditches. Mr. MacLeod suggested hiring a chipper to clear the roadside brush. Long range staffing plans include career days at the schools and offering internships leading to full time positions. Mr. DeFelice asked if we could participate in the seasonal foreign worker program. Mr. Foley said the 6-month delay for asylum seekers to get a work permit should be reduced.

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 15, 2023 in the amount of \$2,929,929.32, and the General Assistance Warrant dated August 15, 2023 in the amount of \$650.00. Passed unanimously.

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

a) FY 2023 Fourth Quarter Financial Report

Finance Director Jodie Sanborn reviewed the highlights of the report. The balance sheet increased by \$8,820,524. Banking and investments increased with the second installment tax bills coming due. Infrastructure bond proceeds were also received. Changes to Special Reserves and Capital Reserves included projects at Harbor Park, Drakes Island Bridge Project, the Transfer Station, WEMS, the Library, the revaluation and continued dredge work. Recreation Enterprise decreased with the purchase of two vans and playground equipment. Beach parking passes were sold and hourly metered parking at the beach lots started.

The 30 day lien notices will be mailed Monday. Of the over 16,000 tax bills, 744 are not paid. Current Transfer Station stickers expire at the end of the year, and the 2024 stickers will be sold starting in November. Any changes to the sticker policy require a public hearing.

b) Discussion and action to schedule a public hearing on the release of funds up to \$4,600 from Fund 0201 (TC Animal Control Fund) to purchase a Dog Licensing program for the Town Clerk's office.

The Town has been using a software program developed by Barbour Computing. With the owner's retirement, the program will no longer be supported. Staff recommends software from Harris Local Government.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to schedule a public hearing on September 5, 2023 at 6PM, 208 Sanford Road, in the Littlefield Meeting Room on the release of funds up to \$4,600 from Fund 0201 (Town Clerk Animal Control Fund) to purchase a Dog Licensing Program for the Town Clerk's office. Passed unanimously.

- c) Discussion and action to consider entering into a Purchase and Sale Agreement for the purchase of approximately a 23-acre parcel on Perry Oliver Road.

The Conservation Commission has advised the Town of the opportunity to purchase this parcel.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve entering into a Purchase and Sale Agreement for the purchase of approximately a 23-acre parcel on Perry Oliver Road. Passed unanimously.

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

- i.* Michael Beausoleil resignation from the Lodging Facility Advisory Committee.
- ii.* Nathan Mayo resignation from the Lodging Facility Advisory Committee.

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

- e) Discussion and action to accept Donations and Bequests:

1. Donation of two benches to the Wells Public Library at a cost of \$2,232 from Friends Supporting Wells Public Library which were purchased through a grant the Friends received from Fabulous Find in Kittery.
2. \$31.00 donation from Various Library Users to the Wells Public Library.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to accept the generous donations and write letters of thanks to the donors. Passed unanimously.

- f) Discussion and action to approve minutes of the August 1, 2023, Selectmen's meeting.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to approve the August 1, 2023, Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~We should increase staffing at the Public Works Department considering the size of the Town.

Ms. Murray said they have 4 employees on the job, one on medical leave and one vacancy. We use contractors when possible and are trying to recruit.

2. Town Manager's Report

~We are interviewing for the assistant fire chief position and will be advertising for the 4 firefighter positions the voters approved in June. We are accepting applications for the 2 dispatch positions and the executive assistant to the Police Chief.

~Kerri Van Schaack is retiring at the end of August. She will be missed. Thank you, Kerri, for your years of service.

3. Select Board Comments

a. Subcommittee Reports

b. Individual Select Board Member Comments

Mr. Foley wanted the residents of Webhannet Drive to know that the Town is working on strengthening the seawalls. There is a permitting process through FEMA to make the repairs. We are trying to get some sand from the dredge to replenish the beach.

Mr. DeFelice said we need better cell phone service during the summer. Service is adequate during the off-season. Many people have given up their land lines and depend on their cell phone in an emergency.

Mr. MacLeod thanked Mr. Pardue and the department heads for their hard work. Our long range planning should address staffing needs and the pay scale.

4. **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.

5. Appointment of members to various boards & committees.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to appoint the following individuals:

- Pamela McDonough: Lodging Facility Advisory Committee Term Renewal
- David Quist: Lodging Facility Advisory Committee
- Susan Finnell: Budget Review Committee and Board of Assessment Review

Passed unanimously.

6. **EXECUTIVE SESSION** - To hold an Executive Session, pursuant to 1 M.R.S. §405(6)(D) to discuss with the Town's Negotiators the Status of the Ongoing Negotiations of Labor Contracts between the Town of Wells and the Wells Professional Firefighters IAFF Local 4652.

Motion by Mrs. Chase, seconded by Mr. DeFelice, to enter into Executive Session, pursuant to Title 1 M.R.S. §405(6)(D), for the purpose of discussing with the Town's Negotiators the status of the ongoing negotiation of labor contracts between the Town of Wells and the Wells Professional Firefighters IAFF Local 4652. Passed unanimously.

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

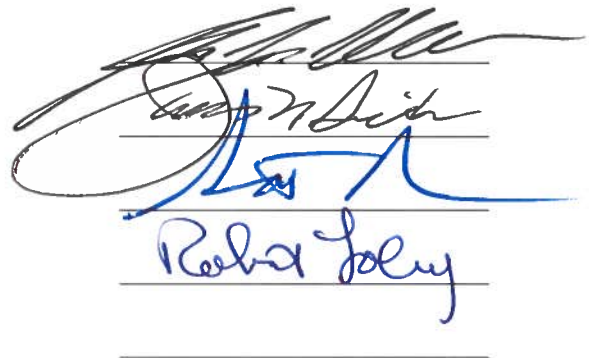
Motion by Mrs. Chase, seconded by Mr. DeFelice, to ratify the contract with the Wells Professional Firefighters IAFF Local 4652 as presented. Passed unanimously.

7. Adjournment

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

Respectfully submitted,

Accepted by,



Robert J. DeFelice
Robert J. DeFelice
Robert J. DeFelice

Cinndi Davidson,
Meeting Recorder