

SELECTMEN'S MEETING - TUESDAY, FEBRUARY 5, 2019

Present: Chairman Karl Ekstedt, Selectmen Tim Roche, John Howarth, Dan Hobbs and Town Manager Jon Carter

Excused: Selectman Kathy Chase

5:00 PM Workshops

Workshop #1: Town Planner / Engineer on proposed Ordinance amendments for Selectmen consideration to move forward at the annual Town Meeting. Also present: Town Planner/Engineer Mike Livingston, Code Enforcement Officer Jodine Adams.

Mike reviewed the proposed definitions and ordinance changes that were drafted to reduce confusion about what the code allows. Farm stands such as Chase's and Spiller's come under agricultural uses and are distinct from homeowner-operated stands. The definitions of bunk house and kitchen should clarify an accessory unit vs. a second dwelling unit on the property. The current noise ordinance is confusing and difficult to enforce. Day time hours are 7 AM-10 PM on weekdays and 9 PM on Sundays. Quiet time is after 10 PM. The noise level should be consistent with the approved use of the property. According to the Police Chief, noisy vehicles including braking, accelerating and altered mufflers are prohibited.

Changes to the wetland definition were also discussed. These would bring the Town ordinance in line with MDEP and ACOE. The State is changing Chapter 1000 re: shoreland zoning and we will need to conform to those standards. Setbacks and lot coverage would be affected and many existing lots would become non-conforming. Wetlands would be deducted from area calculations in RP, while the Rural Zone would keep the existing requirements. Setbacks for RP and Shoreland would be based on the edge of water bodies, not wetlands. Additions and alterations to property could be affected by new setbacks and lot coverage. Vernal pools are a special category included in wetlands. A former DEP employee has become a consultant and is available to work with the Town on this project.

The consensus was that Mike should workshop the changes with the Planning Board for a public hearing on February 22. The first 10 changes are straightforward; the wetland definition will require more work.

Workshop #2: Town Manager and Town Planner Eastern Trail Update: Status of the Trail through Wells and current program- Blazing the Trail South. Also present: Town Engineer/Planner Mike Livingston.

The trail is a combination of on-road and off-road trails extending from Bug Light to Route 35 and the Kennebunk Elementary School. The next step is to complete 3-4 miles of survey work along the pipeline to allow 7 miles of off-road trail through Wells. Eastern Trail hired Sebago Technics for \$22,500 to do the survey in preparation for the preliminary design. They are asking the Town to oversee the work and contract with Sebago Technics, with the Town being reimbursed through an MOU. The next phase of the trail will terminate at Pratt & Whitney in North Berwick.

Workshop #3: Discussion and Review of the two Consultant FLAP Grant Agreements – Scope of Work for later authorization to proceed with the projects. Also present: Town Engineer/Planner Mike Livingston.

Mike is the designated local administrator for the grants. Wright Pierce is contracting to consult on these projects at \$162,000 for 2 years on the Wells Harbor Walk and \$112,000 for the Furbish Road improvements. The cost is shared 20% by the Town and 80% by DOT. Design and permitting will be done in 2019, with the projects going out to bid this fall and construction in the spring of 2020. The work will try to be scheduled around the tourist season and not disrupt the restaurant. Harbor Road will have a sidewalk and path from Route 1 to the harbor and the parking area will be cleaned up and striped. Furbish Road needs to be more resilient to flooding. The shoulder will be widened from Route 1 to the new culvert for pedestrian safety.

Workshop #4: Discussion continuation with the Fire Chief and Town Manager on additional personnel proposal and strategy. Also present: Fire Chief Wayne Vetre and Finance Director Jodie Sanborn.

Jon and Wayne have a 3 phase strategy for addressing the manpower shortage during critical times. #1 Increase the call stipend for the 17 members of the call force. #2 Use students from SMCC Fire Science Program to live-in at the new public safety building when they aren't attending class. #3 Hire a daytime, 40 hour per week firefighter to cover peak hours including weekends, at \$34,000 plus benefits. The frequency of back-to-back calls is increasing and Wayne has to consider how best to deploy the firefighters. Call volume is up by about 500 calls per year. We have had 4 structure fires in the past month, which involves 2 trucks and 3 people per event. Our mutual aid partners are often out on calls and can't support us.

Karl asked about flexibility in staffing and if the proposal was acceptable to the bargaining unit. Wayne said he needs flexibility in scheduling and will discuss that when he interviews candidates. Call volumes were discussed: 1,015 calls in 2016, 1,355 in 2017, 1,451 as of 12/12/2018 and about 8 more calls after the date of the report. Wayne described a recent incident on the Turnpike which involved a car on fire, a gas leak into the waterway, Wells PD, WEMS treating the driver, and Kennebunk assisting with an LZ for the helicopter. If there had been multiple vehicles and casualties, there would not have been enough manpower.

Jon said a warrant article will be prepared for the Budget Committee. Jodie said the Committee will be voting on CIP next week. Taxes will probably increase but she expects that we will stay under LD-1. Tim reminded everyone that the Town is growing and that means more services are needed. Wayne thanked the members of the call force who came out tonight to support the changes.

6:50 PM: Planning Board Candidate Interview: Richard Seiden

7:00 PM – SELECTMEN'S MEETING

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. Public Hearing to release funds from the Beach Enterprise Fund (0900) up to \$35,000 to install new removable steps and ramps at the entrance to Crescent Beach and a ramp off the Jetty Beach Drakes Island Parking lot to gain an easier entrance to the inner harbor beach.

FEMA and DEP have reviewed the plans to repair the damage from the March 2018 storm. Great Northern Docks in Naples recommends the aluminum steps and ramps and repairs to the concrete steps. The ramp at Drakes Island will be behind the restrooms and lead to the inner harbor beach. The steps

will be removed during storm surges to prevent further damage. The work at Drakes Island will cost about \$2,000 with the balance for Crescent Beach.

Public comment was solicited and there was none.

Motion by Mr. Roche, seconded by Mr. Hobbs, to close the public hearing and release up to \$35,000 to install new removable steps and ramps at the entrance to Crescent Beach and a ramp off the Jetty Beach Drakes Island Parking Lot to gain an easier entrance to the inner harbor beach. Passed 3-0-1 with Mr. Howarth abstaining.

2. ***Public Hearing on the 2019 Beach Parking Pass Policy.***

Police Chief Jo-Ann Putnam and Finance Director Jodie Sanborn reviewed the proposed changes. The daily and half day rates at the meters are being replaced by a standard rate of \$3 per hour. The season lasts from Memorial Day to the Monday of Columbus Day. Stickers are limited to 2 per family with \$40 for the first sticker and \$45 for the second. Stickers will not be issued if the property taxes are in arrears. The parking ticket fine is increasing from \$35 to \$50. The mooring holders will have one sticker with an “M” to park in the Eastern Shore lot. Section 4 “Mooring Holders” was amended as follows: 30 spaces will be reserved for the mooring holders until 12 noon.

Motion by Mr. Roche, seconded by Mr. Hobbs, to close the public hearing and pass the policy as amended. Passed unanimously.

3. ***Sean Brown, dba: Brown’s Clam Shanty, 198 Post Road, Moody, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

4. ***Robert Callioras, dba: Litchfield’s Bar & Grill, 2135 Post Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

5. ***Robert Callioras, dba: Litchfield’s Bar & Grill, 2135 Post Road, Wells, application for a Special Entertainment Permit. (R)***

Public comment was solicited and there was none.

Motion by Mr. Roche, seconded by Mr. Hobbs, to close the public hearing and grant the permit. Passed unanimously.

6. ***Mike Dinardo, dba: The New England House Seafood and Sports Bar, 124 Post Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

7. ***Lafayette Wells, Inc. dba: Forbes Seafood Restaurant, 427 Mile Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

Public comment was solicited and there was none.

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

8. ***Christopher MacDonald, dba: MacDaddy's Seafood and Tots, 876 River Road, Windham, application for a Food Truck License. (N)***

Public comment was solicited. Mr. MacDonald has been in business for 2 years and decided to apply for the license after visiting Congdon's After Dark last summer.

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

9. ***Good News***

~Volunteer and Events Coordinator Cindy Adamsky discussed the Taste of Wells to be held Sunday, February 10 from 12 noon-3PM at YCCC. There are 12 vendors this year, all from Wells. Tickets are \$10 and are available at Town Hall, on Facebook and at the door.

~Mr. Roche discussed the unified basketball. There are home games on February 12 and 14 at 3:30 PM. The team is 3-0 this season. The wrestling team won the Mid-State Championship and Scott Lewia won Coach of the Year. Both boys and girls basketball teams are heading for the tournament. The track teams are doing well. Tyler Bridge won the Fitzpatrick Trophy, the first time for a Class D player and the first time for a Wells player.

Mr. Howarth congratulated Mr. Roche on being selected as Coach of the Year.

CURRENT AGENDA ITEMS

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

There is a Warrant dated February 5, 2019 with expenses of \$374,021.75, no school payment, net payroll for the week ending 1/17/19 in the amount of \$73,419.14, net payroll for the week ending 1/24/19 in the amount of \$75,955.35, net payroll for the week ending 1/31/19 in the amount of \$72,480.88 and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$91,504.04 for total expenses of \$687,381.16

Motion by Mr. Roche, seconded by Mr. Hobbs, to approve and sign the Warrant dated February 5, 2019 in the amount of \$687,381.16. Passed unanimously.

There is a General Assistance Warrant dated February 5, 2019 in the amount of \$2,090.93 from the Special Fuel Fund .The balance in the fund is \$34,906.35.

Motion by Mr. Roche, seconded by Mr. Hobbs, to approve and sign the General Assistance Warrant dated February 5, 2019 in the amount of \$2,090.93. Passed unanimously.

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

a) ***Discussion and action to set a public hearing to review the annual Lodging Licenses.***

Motion by Mr. Roche, seconded by Mr. Hobbs, to schedule a public hearing for February 19, 2019 at 7 PM in the Littlefield Meeting Room regarding the annual Lodging Licenses. Passed unanimously.

b) ***Discussion and action on Signing the Eastern Trail Memorandum of Understanding (MOU) for reimbursement to the Town of Wells for Survey work on the proposed off road trail.***

The survey work was discussed at an earlier workshop. We will hold the contract with Sebago Technics and pay them for the work, with Eastern Trail reimbursing the Town \$22,500.

Motion by Mr. Roche, seconded by Mr. Hobbs, to authorize the Town to enter into the Eastern Trail MOU for reimbursement for the remaining survey work in Wells along the trail estimated at \$22,500. Passed unanimously.

c) ***Discussion and action to schedule a public hearing on February 19, 2019 at 7:00 p.m. to review the Spring Thaw Road Policy for posted roads in compliance with Town Code Chapter 212-4. The period for posting is February 20-April 19, 2019.***

Motion by Mr. Roche, seconded by Mr. Hobbs, to schedule a public hearing for February 19, 2019 at 7 PM in the Littlefield Meeting Room regarding the spring posting of roads. Passed unanimously.

d) ***Discussion and action on authorizing the FLAP Grant Consultant to proceed with both projects.***

The consultant's scope of work was discussed at an earlier workshop. The cost is shared 20% by the Town and 80% by DOT.

Motion by Mr. Roche, seconded by Mr. Hobbs, to authorize the Town Manager to sign the two consultant agreements with Wright Pierce for the Harbor Road and Furbish Road FLAP grant scope of work. Passed unanimously.

e) ***Discussion and action on increasing the mileage reimbursement from 54.5 cents to the new IRS level for 2019 of 58 cents affective February 6, 2019 and after on travel reimbursement.***

Motion by Mr. Roche, seconded by Mr. Howarth, to increase the Town's travel reimbursement rate based on the recent IRS mileage reimbursement rule change from 54.5 cents to 58 cents effective with employee travel on February 6, 2019 or thereafter. Passed 3-1 with Mr. Hobbs opposed.

f) ***Northern New England Telephone Operations and Central Maine Power Company, Application for Pole Locations for one pole to be located on Bragdon Road approximately 1045 feet Easterly of intersection with Locksmith Lane.***

Motion by Mr. Roche, seconded by Mr. Hobbs, to accept the pole location permit request. Passed unanimously.

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

1. ***Town Manager***

a) Harbormaster update

The position has been readvertised. We are working through the Harbormasters' Association.

2. ***Selectmen***

a) Town Manager Vacation Request

Motion by Mr. Roche, seconded by Mr. Hobbs, to appoint Chief Putnam as Acting Town Manager 5/8-5/15/19. Passed unanimously.

b) Planning Board

Motion by Mr. Roche, seconded by Mr. Hobbs, to accept George Raftopoulos' resignation from the Planning Board. Passed unanimously.

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

1. \$10,119.00 from Forbes Family Foundation to the Town of Wells for the Special Account to be used for Fuel and Food.

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

2. \$5,119.00 from Forbes Family Foundation to the Wells Recreation Department for equipment and sports programs.

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

3. \$300.00 from St. Francis of Assisi to the Town of Wells for the Fuel Assistance Program Fund.

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

4. \$108.34 from Wells Rotary to the Wells Public Library for purchase of children's books.

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

i) **Discussion and action on approving minutes of January 22, 2019 Selectmen’s meeting**

Motion by Mr. Roche, seconded by Mr. Hobbs, to accept the January 22, 2019 minutes as written. Passed unanimously.

NEW BUSINESS

1. **Open to the Public**

~Mr. Roche noted the generous donations from the Forbes Family to the Recreation Department and suggested that the children who enjoy the programs could write thank you letters.

The NYPD is changing to load-bearing vests. They fit better and have fewer injuries. Chief Putnam is looking into them.

~Mr. Howarth noted that the work at the harbor is progressing. Thank you to the fishermen and construction workers who are working together well.

2. **Town Manager’s Report**

~The Budget Committee is completing their work; there are 2 more meetings. The department reviews are finished. Warrants, grants and CIP are still to be reviewed, then it will be brought to the Selectmen. There will be a reconciliation meeting and public hearing. Thank you to Jodie and her staff.

3. **Adjournment**

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

Respectfully submitted,

Accepted by,



Cindi Davidson,
Meeting Recorder



