

SELECTMEN'S MEETING - TUESDAY, MARCH 3, 2020

Present: Chairman Karl Ekstedt, Selectmen Tim Roche, Kathy Chase, Sean Roche, John MacLeod, Town Manager Jon Carter

5:00 PM – FY'21 Budget and Preliminary Reconciliation Workshop with Budget Committee and Finance Director Jodie Sanborn.

Budget Committee members unanimously approved the minutes of their last meeting on February 12, 2020.

Mr. Ekstedt thanked everyone involved in the budget process for the long hours and hard work that went into this. Ms. Sanborn commented on one item to change. The funding for air conditioning at the Library will increase the proposed CIP by \$10,000 and decrease the appropriation by \$10,000.

Approved unanimously by the Budget Committee.

Motion by Mrs. Chase, seconded by Mr. T. Roche, to approve the transfer. Passed unanimously.

Budget Committee Chairman Ron Schneider discussed significant topics from the Committee's review. The Committee is opposed to paving the Drakes Island parking lot. The Beach Enterprise would not have been approved if that project had been included. One member attended last night's ZBA meeting where the appellant wants to close down one of the beach parking lots. Legal fees to fight this may run quite high.

Mr. Ekstedt noted that we are under LD-1 and asked if there are any bond issues coming up. We haven't finished paying off the Transfer Station Enterprise Fund and this could affect our bond rating. The Swamp John Road project is starting soon. PWD Carol Murray said we have finished the crushing, and the funds for paving will come up in the next cycle. Ms. Murray said they will start putting the base down once the frost is out of the ground. They have good material and the contractor is lined up. It will be re-graded in April with new drainage and a 4% slope. Pine Ledge/Robinson Road is another pending project. Cheney Woods Road hasn't been built into the budget yet.

Mr. Ekstedt recommended a climate change line item in the budget and starting to put funds away in case of a major event. This can be a reserve fund and may or may not be connected to Emergency Management.

Mr. Carter proposed the reconciliation meeting with the Budget Committee on March 17 at 5 PM. Each item will be voted on individually. A joint public hearing will be held on April 7. There are 4 warrant articles on open space.

6:00 PM – SELECTMEN'S MEETING

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

- 1. Public Hearing on the proposed amendments to Chapter 86 (Beaches) as it pertains to the use of shading devices and to prohibit camping on beaches.***

At the last workshop the discussion focused on structure heights and not allowing tents and other tall items. Problems include large structures taking up space, the beach narrowing at high tide/less room for everyone, flying debris, keeping the structures away from the sea wall.

Public comment was solicited.

~Policing: parking lot attendants and people on the beach such as the piping plover monitors and people walking can notify Wells PD.

~One problem is people leaving items up for several days and taking up space.

~Can people with deeded beach rights put up an umbrella?

~What about people with medical conditions?

~EZ Ups take up the same space as an umbrella. The line of sight on the beach is clear.

~EZ Ups are not suitable for beaches because they are not secured.

~The height of EZ Ups is adjustable. The problem is people who come early and stake out their space.

~The problem is congestion at high tide when structures are up against the sea wall.

~People put up EZ Ups at the ends of paths and block access.

~People trip over ropes and guy lines.

~Keep the devices 15 ft. from the sea wall and ROW.

~People ignore signs.

~Set a limit of 8 ft. by 8 ft.

~Who will enforce the regulations? Residents can't be expected to police what the tourists are doing.

~There should be flyers for the motels, campgrounds, etc. to give to people when they check in alerting them to the new regulations.

A straw poll was taken. About 1/4 to 1/3 of those present favored making no change to the ordinance (no bans of any type of structure on the beach, just no overnight camping).

Mr. Carter read the draft ordinance with the suggested changes for tonight's discussion highlighted in red. Board members discussed signage, flyers, and other means of communicating the new regulations. Mr. Ekstedt said we need something definitive that the police can enforce.

The following regulations were considered:

- A) No shading devices larger than 8 ft. x 8 ft. or 8 ft. in diameter (and no strings exceeding those dimensions) are allowed on the beaches.
- B) Personal items must be removed from the beach from 11 PM to 7 AM. Overnight camping on the beach is prohibited. The beach closes at 11 PM.
- C) No devices may be placed within 15 ft. from a sea wall or ROW.

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

Motion by Mrs. Chase, seconded by Mr. S. Roche, to eliminate Part 1 of Section 86-6 and substitute A, B and C as written above. Passed unanimously.

2. *Trailblazers Inc., dba: Trailblazers Family Club, 102 Bills Lane, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)*

AND

3. *Trailblazers Inc., dba: Trailblazers Family Club, 102 Bills Lane, Wells, application for a Special Entertainment Permit. (R)*

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to close the public hearings and grant the license and permit. Passed unanimously.

4. *Dennis Nolette, dba: Home Town Pizza, 1517 Post Road, Unit 9, Wells, application for a full-time Malt and Vinous Liquor License. (R)*

Public comment was solicited and there was none.

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

5. *Good News*

~Coach Roche reported that our wrestling team won both the regular and team state championships. The girls' basketball team beat Hermon for the Class B championship. This is our first women's team to win a state championship. The team appreciated the welcome home escort from the police and the parade the following day.

~We received thank you letters for the PWD plowing and for WEMS service.

~Swamp John Road: PWD is crushing material to put down in April when the frost is out of the ground. At the March 17 meeting the Selectmen will workshop with PWD on financing the drainage and overlay. Public comments are welcome.

6. *Open to the Public*

~Condolences to three families in our community who lost loved ones recently, three of our veterans. Dan Marquis always enjoyed the Wells Warrior Salute to Veterans. Superintendent Jim Daly lost his father, a

Korean War veteran. “Skin” at the Cheese and Wine Shop (Cal Merrifield) passed away yesterday after a brief illness.

CURRENT AGENDA ITEMS

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

There is a Warrant dated March 3, 2020 with expenses of \$283,004.90, no school payment, net payroll for the week ending 2/20/2020 in the amount of \$79,422.43, net payroll for the week ending 2/27/2020 in the amount of \$78,150.88, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$65,750.61 for total expenses of \$506,328.82.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to approve and sign the Warrant dated March 3, 2020 in the amount of \$506,328.82. Passed 4-0-1 with Mr. MacLeod abstaining.

There is a General Assistance Warrant dated March 3, 2020 in the amount of \$960.28 consisting of \$535.00 for General Assistance and \$425.28 from the Special Fuel Fund. The balance in the fund is \$48,515.39.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to approve and sign the General Assistance Warrant dated March 3, 2020 in the amount of \$960.28. Passed unanimously.

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

a) Workshop discussion on the Wells Parking and Traffic Committee Report and Recommendations including the amendments to Chapter 212 (Traffic and Vehicles), and 201 (Streets and Sidewalks). Also present: Town Engineer/Planner Mike Livingston, Committee Chair Betsy DiCapua and Committee members.

The Committee hired a traffic engineer and held 7 meetings. Members represented the beach areas, businesses and western part of Town. Mr. Livingston reviewed the plans for each lot prepared by Gorrill Palmer based on the Committee’s recommendations.

~Drakes Island Road/Island Beach Road: should be converted to 5 handicap spaces along the south edge with bike racks and a pedestrian walkway.

~Drakes Island Jetty: this is gravel now. The recommendation is to eventually pave and stripe it. Should be one way in and out through the lot. Handicap spaces near the bathrooms.

~Gross Lot: there are 148 spaces, all straight in. Access is 2 way. Drop-offs would be at the wide area in front. No expansion is planned.

~Harbor: parking around the gazebo area is working well. There should be some type of barrier to keep people off the dune grass.

~Riverside Drive: the 2 way traffic is not safe; change the road to one way.

~Gold Ribbon Drive: keep it one way, improve the parking layout and add a crosswalk. There are 30 spaces. We have tried to make the ramp ADA compliant but it doesn’t work.

~Casino Square: the trolley drop-off should be away from the traffic flow.

~Eastern Shore: the Committee was asked to consider marina parking. Signage and Jersey barriers can set off the marina parking.

~Webhannet: the sea wall and smaller property walls restrict the space. The hatched areas on the plan are no parking zones, and the other areas are wide enough for parking. This layout would create 41 spaces with striping.

Cpt. Congdon contacted MDOT about lowering the speed limit on certain roads during the summer for safety. MDOT wouldn't allow it. The Committee discussed marking pedestrian areas. Large vehicles in driveways can stick out and force people into the road. The traffic ordinances have been reorganized.

Contractors are allowed to park at the side of the road as long as they stay far enough off the roadway to allow emergency access. The Police Chief has the authority to make temporary changes needed for special situations. Parking tickets were raised to \$50 because people have not been paying them and some towns use a collection agency. The sidewalk use section was amended to prohibit devices such as skateboards and scooters that would cause unsafe conditions.

Mr. T. Roche felt that the 30 spots for mooring holders should become residents' spots. People object to seeing empty mooring spots when the rest of the lot is crowded. He recommended lowering the price of resident stickers, and eliminating the prohibition against playing ball in the street. Many of the smaller side streets have little traffic. Skateboards and scooters are a growing trend and we need to incorporate them into discussions of traffic.

We sold 6,000 beach passes last summer and there are about 500 parking spaces. Mr. S. Roche would like a certain number of spaces in each lot reserved for residents. Mr. Carter noted that the timeshare holders get resident stickers. Finance Director Jodie Sanborn said that the beach stickers are for tax payers, not just residents. Identification includes matching the addresses on the vehicle registration, tax bill and driver's license. Richard Clark said the process should be as easy as possible for Town staff and the number of categories should be minimized. Ideally, there would be only resident or non-resident stickers.

Public comment was solicited.

~The Town should reserve spaces for the boaters. Each boat is moored in a certain spot and you have to park where your boat is. People going to the beach have more choices for parking.

~Each lot should have a drop-off area. GPS is sending people over Shady Lane to reach beach parking. Will Drakes Island become the drop-off area for the beach?

Mr. Carter said the drop-offs within the lots are to eliminate traffic stopping along the road. Mr. Livingston said the drop-off area at Eastern Shore can be striped.

~Eastern Shore generates \$60,000 for the Town from the slips. Don't limit or eliminate marina parking. The problem is weekend parking when there are boaters and beach goers.

~The Jetty Lot fills up early on weekends and traffic backs up in front of the houses. There is no place for people to park once they drop off their families. The drop-off spots should be for trolleys, not for cars.

~There is more beach than parking space. We should promote shuttle buses.

~Thank you to the Committee for their hard work.

~In some towns residents park for free. In some towns the first car is free with a staggered rate for extra vehicles and guests. \$45 is too high.

~We need a compromise at the Eastern Shore to support our working harbor. Tide is an issue for the boaters. Some out-of-state people have mooring slips there.

~Tides and weather affect parking at Eastern Shore. There are 70 slips and 30 moorings. Think about those boat owners, access to their boats, and the business they bring to Town.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to schedule an informational session on the Wells Parking and Traffic Committee report for 6 PM on March 17, 2020 in the Littlefield Meeting Room, 208 Sanford Road. Passed unanimously.

b) *Workshop discussion on the 2020 Beach Parking Pass Policy. Also present: Finance Director Jodie Sanborn, Cpt. Gerry Congdon, Parking Enforcement Officer Sally Stewart.*

Ms. Sanborn prepared an analysis of fees collected at the parking lots. In 2019 we went to an hourly structure and users paid for the block of time they expected to be there. There were pre-season, in season and post season rates. Hourly rates made it simpler. They would like the Selectmen to approve another year with this system and raising the fee to \$4 per hour. Operating costs from last July through January were \$150,858. Salaries are \$247,000. Total expenses to date are \$397,858. The 2019 meter and sticker collections total \$589,577. Last year the first sticker was \$40 and the second was \$45. They are asking for one price, \$40, for each sticker. Mrs. Chase said everyone knows that more stickers are sold than there are parking spaces, and you have to go to the beach early. Mr. T. Roche recommended reserving 10% of the spaces for beach pass holders. Fees for parking tickets go into the General Fund. Mr. S. Roche recommended putting them in the Beach Enterprise Fund. Parking enforcement and the lot attendants are paid out of Beach Enterprise.

The consensus was:

~10% of the spaces in each lot reserved for pass holders.

~\$4 per hour at the meter.

~\$40 for each pass.

~Change the hours from 8 AM-5 PM to 8 AM – 7 PM. At 7:01 the meter would change to “Free parking.”

Motorcycles and RV’s pay the same hourly rate as cars. Under state law, handicap parking is free. Mrs. Chase complimented the General Office staff for their excellent work selling the stickers. Mr. Carter said we hope to have technology next year to facilitate the process.

Mr. T. Roche asked about parking for the mooring holders. If their spots are full they can park anywhere. Spots in the Eastern Shore lot turn over frequently. The recommendation was on weekends to allocate 15 spots to mooring holders and 15 for resident passes. On weekdays the division would be 10 to mooring holders and 20 to pass holders. Chief Putnam asked Harbor Master Mike Yorke to brainstorm with the Police Department this week. She asked for the Selectmen’s support, if someone with a mooring sticker uses a mooring parking space and goes to the beach, she will pull the pass. Selectmen concurred. There are no more laminated passes for the charter boats. The operators get their boats and pick up their customers on the opposite side.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to schedule an informational session on the 2020 Beach Parking Pass Policy for 6 PM on March 17, 2020 in the Littlefield Meeting Room, 208 Sanford Road. Passed unanimously. A public hearing will be held on April 7.

c) *Discussion and action on the proposed amended Board of Selectmen Meeting Procedures when dealing with new and amended Ordinances and Policies.*

Any new ordinances, policies or amendments will be reviewed by the Town Attorney, then placed on the Selectmen's agenda for a workshop. Informational sessions may be held for public input before the formal public hearing. Once the public hearing is closed the Board will take appropriate action.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to accept the amended procedures for enacting or amending ordinances and policies. Passed unanimously.

d) *Discussion and action on appointing one Selectman to be on the CPUC Consultant Selection Committee.*

Motion by Mrs. Chase, seconded by Mr. T. Roche, to appoint John MacLeod and Sean Roche to the CPUC Consultant Selection Committee. Passed unanimously.

e) *Discussion and action on the Board of Selectmen participating in the MMA Worker's Compensation Fund Incentive Program on behalf of the Town of Wells for Town employees.*

The Town is covered by the MMA's Workers' Compensation Program. Our Safety Committee is requesting that we participate in their safety incentive program to help reduce incidents and workplace injuries.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to sign the resolve to participate in the MMA's Workers' Compensation Safety Incentive Program. Passed unanimously.

f) *Discussion and action on accepting land from Curtis Wormwood within his subdivision on Eldridge Road.*

Mr. Wormwood has some unbuildable vacant land in his subdivision near the marsh which he is offering to the Town. Town Planner/Engineer Mike Livingston believes it will help with drainage projects in the area.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to accept the Quitclaim Deed with covenant for land parcels granted to the Town by Curtis Wormwood located on Map 116-33 lots 1,2,3,4,5 and 6 with the restrictions as noted in Exhibit A of the Quitclaim Deed. Passed unanimously.

g) *Discussion and action on the dedication of the 2019 Town of Wells Annual Report.*

Mr. Ekstedt suggested Chief Wayne Vetre and former Selectman Richard Clark.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to dedicate the 2019 Annual Town Report to Richard Clark. Passed unanimously. Mr. Carter will write the dedication. There will be an appropriate tribute to Chief Vetre at the new fire station.

h) Discussion and action on recognizing May 7, 2020 as the National Day of Prayer and to allow the ceremony in recognition of that day on Town Hall property by the area churches.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to recognize May 7, 2020 as the National Day of Prayer and to allow the area churches to hold a ceremony in celebration of that day in front of Town Hall. Passed unanimously.

i) Discussion and action on scheduling a Public Hearing on a Consent Agreement to resolve a Town Beach Right of Way encroachment between the Town and David Giarusso, Jr. on ROW # 2 on Moody Beach.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to schedule a Public Hearing on March 17, 2020 at 6 PM in the Littlefield Meeting Room, 208 Sanford Road, regarding resolving a Town Beach Right of Way encroachment between the Town and David Giarusso, Jr. on ROW # 2 on Moody Beach. Passed unanimously.

j) Discussion and action on accepting the quote received for the 2020 Seasonal Restroom Cleaning work.

The company that cleans the train station has cleaned the beach restrooms for the past two years. They have quoted \$125 per day for 2020, up from \$110 in 2019. There will be an additional deep cleaning at the beginning of the season.

Motion by Mrs. Chase, seconded by Mr. S. Roche, to accept the quote from Perfect Scents Cleaning Services for seasonal beach restroom cleaning at a daily rate of \$125. Passed unanimously.

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

1. Town Manager

- a. Call firefighter Christian Trocchi has resigned.
- b. We have hired Police Officer Timothy Wright. He will be sworn in at Town Hall at 4 PM tomorrow. He is a graduate of Wells High School and YCCC.

l) Discussion and action to accept donations and bequests.

1. Receipt of \$200.00 from United Way of York County to the Town of Wells for the Fuel Assistance Program Fund.

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

- 2. Receipt of \$20.00 from Jennifer Finch to the Wells Public Library.

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

- 3. *Receipt of \$33.45 from Various Library Users to the Wells Public Library.*

Motion by Mrs. Chase, seconded by Mr. S. Roche, to accept the generous donation. Passed unanimously.

- m) *Discussion and action on approving minutes of February 18, 2020 Selectmen’s meeting.*

Motion by Mrs. Chase, seconded by Mr. S. Roche, to approve the February 18, 2020 Selectmen’s meeting minutes. Passed 4-0-1 with Mr. T. Roche abstaining.

NEW BUSINESS

- 1. *Open to the Public*

Public comment was solicited and there was none.

- 2. *Town Manager’s Report*

~Larry Downing is retiring after many years with our high school marching band.

~The social media consultant has been interviewed. Selectmen will hold an Executive Session with her at 4:30 on March 17.


~NEPR received the federal grant for a second train platform in Wells and adding an additional commuter train to Portland daily.

- 3. *Adjournment*

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

Respectfully submitted,

Accepted by,


Cindi Davidson,
Meeting Recorder