

SELECTMEN'S MEETING –TUESDAY, SEPTEMBER 6, 2016

Present: Chairman Karl Ekstedt, Selectmen Kathy Chase, Tim Roche, Daniel Hobbs and John Howarth, Town Manager Jon Carter.

MUNICIPAL OFFICERS BUSINESS/PUBLIC HEARINGS

1. Public hearing on adding the proposed question to the November 8th ballot regarding adding fluoride to the public water supply.

The Trustees and management of the Water District propose to discontinue adding fluoride to the water. Their reasoning is that fluoride occurs naturally in water and doesn't need to be added, that it is in many beverages, and that topical fluoride (in toothpaste and mouthwash) is more effective in preventing cavities. There were several speakers for and against adding fluoride to the water. Seven communities are served by the Water District and will vote on the question. The question reads "Shall fluoride be added to the public water supply for the intended purpose of reducing tooth decay?" A No vote means the District would stop adding fluoride; a Yes vote means they would continue to add it.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and add the proposed question to the November 8th ballot. Passed unanimously.

2. Public hearing to amend Chapter 190 (Shellfish Conservation Program) to define clam flat boundaries, closures and harvesting in accordance with DMR regulations.

The state has asked us to add language to our ordinance addressing boundaries, closure dates and penalties for illegal harvesting.

Everett Leach of the Shellfish Committee urged the Board not to rush and to obtain clarification from the DMR before the Town makes any changes. We are already doing much of what the State is asking. We have no commercial flats; clam digging is recreational only. There was a suggestion to invite a representative from DMR to address the Board. Chief Putnam said the police can cite violations under either Town or State ordinances.

Motion by Mrs. Chase, seconded by Mr. Roche, to table this item for further study and a workshop. Passed unanimously.

3. Public hearing to amend Chapter 145 (Land Use) to allow outdoor sales in the Residential Commercial (RC) Districts.

Town Planner/Engineer Mike Livingston discussed the request from a resident to allow outside sales in the RC Zone. The owner of an auto repair business on Route 109 would like to add retail sales without the requirement for indoor storage. Business retail is currently allowed in the RC Zone but the items for sale must be enclosed within a structure. This change would apply to the 4 RC districts in Town. The reviewing authority would have to approve landscaped buffering and screening based on the proposed use, in order to protect the abutters.

Several members of the public expressed concerns about the impact on their neighborhoods. This item was tabled without a motion.

4. Public hearing to post Hilton's Lane and Loop Road for weight restrictions of 23,000 pounds with local access/delivery exemption.

Area residents are requesting a weight restriction of 23,000 lbs. with exceptions for local access and deliveries. Heavy trucks use this as a bypass from 9B to Tatnic Road and are wearing out the road surface which wasn't constructed to support this weight. Hilton's Lane is undergoing major maintenance work.

Several residents spoke in favor of building the road strong enough to support the weight of the trucks. If these roads are posted, truck traffic will simply be diverted to another neighborhood. Speeding is an enforcement issue for the Police Department. There was a request to pave the shoulders to improve safety for bikers, pedestrians, parents with strollers, etc.

Mr. Ekstedt has spoken with Chief Putnam and Public Works Director Terry Oliver. Posting these roads would shift the problem to other roads. There are two bad sections of the road which will be repaired soon.

There was no motion. The roads will not be posted.

5. Villas by the Sea Owners Association, dba: Village by the Sea, 1373 Post Road, Wells, application for a full-time Malt, Spirituous and Vinous Liquor License. (R)

Public comment was solicited and there was none.

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

6. Villas by the Sea Owners Association, dba: Village by the Sea, 1373 Post Road, Wells, application for a special entertainment permit. (R)

Public comment was solicited and there was none.

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

7. The Wells Reserve at Laudholm Farm, 342 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for a Craft Festival to be held on September 10 & 11, 2016 at Laudholm Farm.

Public comment was solicited and there was none.

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

8. The Wells Reserve at Laudholm Farm, 342 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for the Fall Family Festival (Punkinfiddle) to be held on September 24, 2016 at Laudholm Farm.

Public comment was solicited and there was none.

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

9. Good News

a. Chili Contest Winners

Congratulations to Firefighters Jeff Cullen and Josh Hart who won the People's Choice Award.

b. John Fortune's 90th Birthday on 9/9/16.

John is a long-time resident of Wells and has been active in conservation and Library activities.

c. WEMS

Tom Oliver, Chairman of WEMS, received several thank you letters from people who were grateful for their good work during rescue calls.

10. Open to the Public

~There was a comment about traffic in the area of Routes 9 & 109 and Garden Street. There seems to be increased use of jake brakes, which should be prohibited.

~Are there any plans to pave Route 109 from the elementary school to Chapel Road? The patching job after the gas line was put in is poor quality. The contractor should have to restore the previous conditions.

No plans to pave it at this time.

~Can the audio be turned up when town meetings are broadcast? TV reception is poor.

This is a result of moving the studio upstairs. We are still working on audio issues.

~Chief Putnam announced the next Drug Take Back Day on Saturday, October 22 from 10 AM to 2 PM. The location will be announced. There is also the bin in the lobby of the Police Department for people to dispose of expired drugs.

~The workshop on amending the Shellfish Conservation Program will be open to the public. Members of the Clam Commission and representatives from DMR are invited to attend. The Selectmen have already approved the number of licenses for this season; the closure hasn't been acted on yet.

~Coach Roche announced the Wells Warriors' first home game of this season, Friday, September 9 at 7 PM. The festivities will include a salute to the Armed Forces. Each of the 18 seniors on the team will be escorted onto the field by a veteran or current military member. Team members have raised about \$2,000 for House in the Woods, a respite facility for veterans.

~Congratulations to the Warriors on their September 2 victory over Spruce Mountain.

CURRENT AGENDA ITEMS

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

a. Discussion and action on approving the warrant dated September 6, 2016.

There is a Warrant dated September 6, 2016 with expenses of \$521,575.74, school payment of \$1,564,966.84, net payroll for the week ending 8/16/16 in the amount of \$97,744.73, net payroll for the week ending 8/25/16 in the amount of \$90,023.91, net payroll for the week ending 9/1/16 in the amount of \$85,521.80, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$120,609.03 for total expenses of \$2,480,442.05.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated September 6, 2016 in the amount of \$2,480,442.05. Passed unanimously.

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

a. Discussion and action on scheduling a public hearing on September 20, 2016 in the Littlefield Meeting Room regarding enacting an Emergency Ordinance to appropriate and expend up to \$250,000 from the Highway Infrastructure Reserve Fund (#0708) to replace the collapsed Furbish Road culvert.

The estimate is \$170,000 to cover the repair work. Mr. Carter is requesting \$250,000 to provide a cushion for unexpected developments. The culvert collapse was discovered by Mr. Livingston last week when he was inspecting the area with the DEP.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing for September 20, 2016 to enact an Emergency Ordinance to appropriate and expend up to \$250,000 from the Highway Infrastructure Reserve Fund (#0708) to replace the collapsed Furbish Road culvert. Passed unanimously.

b. Discussion and action on scheduling a public hearing on September 20, 2016 in the Littlefield Meeting Room regarding amending Chapter 86 (Beaches) for a change of date when horses and large domestic animals are restricted from the beaches; that waste materials from the large animals are required to be picked up and properly disposed of by those caring for the animals while on the beach and in the beach areas.

Motion by Mrs. Chase, seconded by Mr. Roche to schedule a public hearing on September 20, 2016 to amend Chapter 86 (Beaches) for a change of date when horses and large domestic animals are restricted from the beaches; that waste materials from the large animals are required to be picked up and properly disposed of by those caring for the animals while on the beach and in the beach areas, including parking lots. Passed 4-0-1 with Mr. Howarth abstaining.

c. Discussion and action to accept the generous donation of a Warranty Deed of 48.53 acres of land along Meetinghouse Road from Annie Gowen with a Conservation Easement held by the Kennebunk, Kennebunkport and Wells Water District.

The Selectmen held a workshop with Town Planner/Engineer Mike Livingston and realtor John Downing who represents Mrs. Gowen. She is donating a large parcel of land that has been in her family. The land has a conservation easement in favor of the Water District which has some restrictions. Motorized vehicles and active recreation are not allowed, but there will be walking trails open to the public. The Conservation Commission urges the Selectmen to accept this donation.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the gift of land from Ms. Annie Gowen as described in the deed with a conservation easement held by KKWWD, and send the donor a letter of thanks. Passed unanimously.

d. Discussion and action on approving the additional Public Safety Feasibility Planning Consultant Contract and recommend the Library Trustees to proceed with its Consultant to revise their project.

This item has been tabled.

e. Discussion, review and action on the proposed October 15, 2016 Surplus Auction List of vehicles and equipment for approval.

Motion by Mrs. Chase, seconded by Mr. Roche, to declare the items on the proposed auction list of equipment and vehicles as surplus and approved for the auction, and to allow the Fire Department to donate some surplus items to other fire departments in the State. Passed unanimously.

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

i. Selectmen

1. Appointment of Thomas Pulsifer as Alternate Member to the Zoning Board of Appeals.

Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Thomas Pulsifer to the position of Alternate ZBA member, term to expire November 2018. Passed unanimously.

2. Resignation of Roland “Chick” Falconer from the Clam Conservation Commission.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the resignation of Roland “Chick” Falconer from the Clam Conservation Commission and send him a letter of thanks for his service. Passed unanimously.

ii. Town Manager

1. Appointment of Wayne D. Vetre as Wells Fire Chief.

Chief Vetre and his family will be relocating to Wells, and he will assume his duties around November 1st. Thank you to Interim Chief Lahaie for his service to the Town.

2. Appointment of Nicholas G. Matt-Police Officer

Officer Matt has been working with the Sanford Police Department and the York County Jail.

3. Resignation of Deb Coady-Deputy Tax Collector

4. Retirement of Lucien Bouchard-Highway Equipment Operator

g. Discussion and action to accept donations and bequests:

1. \$500.00 from Choose to be Healthy-York Hospital towards Tobacco Free Beach Effort.

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

2. \$250.00 from Kennebunk Savings Bank towards the Craft Comedy Night on August 31, 2016 at Harbor Park.

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

3. \$9,460.00 representing Workers Compensation Fund dividend from Maine Municipal Association to the Town of Wells for good loss experience and loss prevention programs.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the dividend check and deposit it into the Workers Compensation account. Passed unanimously.

4. \$50.00 from Donald and Brenda Hanson to the Wells Fire Department in memory of Lindley R. (Brother) Bridges.

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

5. \$30.00 from George and Carol MacKinnon to the Wells Fire Department in memory of Lindley R. (Brother) Bridges.

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

6. \$250.00 from Robin Gruter to the Wells Police Department in memory of Frederick Gruter.

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

h. Discussion and action on approving the minutes of August 16, 2016 Selectmen's meeting.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the minutes as written. Passed unanimously.

NEW BUSINESS

1. Open to the Public

Public comment was solicited and there was none.

2. Town Manager's Report

~The Volunteer Breakfast will be held Tuesday, September 13 at the Johnson Hall Museum Event Center. We are expecting 120 people to attend, including department heads and Selectmen.

~Julie Einstein, Administrator of the Historical Society, has invited the Selectmen for a special tour of the Museum and exhibits. Mr. Roche enjoyed a tour last summer.

3. Adjournment

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder
