

SELECTMEN'S MEETING - TUESDAY, FEBRUARY 18, 2020

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

Excused: Selectman Tim Roche

5:15 PM - Executive Session

Executive Session pursuant to 1 M.R.S. § 405(6)(E), to confer with legal Counsel regarding the municipal involvement in the proposed workforce housing High Pine Village Condominium Project.

Motion by Mrs. Chase, seconded by Mr. Roche, to go into Executive Session. Passed unanimously.

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

6:00 PM – SELECTMEN'S MEETING

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

- 1. Public hearing to review the Spring Thaw Road Policy for posted roads in compliance with Town Code Chapter 212-4.***

The ordinance allows the Public Works Department to grant exceptions for special situations where a vehicle exceeds 23,000 lbs. If the roads are frozen PWD can notify Dispatch. Mrs. Chase asked if the State would post Route 9B to prevent further damage. Ms. Murray will contact the State.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and post the roads listed in the hearing materials from March 2 through to April 15, 2020. Passed unanimously.

- 2. Public hearing regarding reviewing and approving the 2020 Lodging Licenses.***

This is the annual public hearing for all the licenses the Town grants. The Board grants the licenses conditionally. Licenses are issued when there are no code violations and the fees are paid.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and conditionally approve the lodging licenses for 2020 pending collection of the fees and correction of any code violations. Passed unanimously.

- 3. Public hearing regarding resolving a Code Violation concerning building height between the Town and Mr. and Mrs. Lagasse.***

This concerns a code violation where a building height was higher than allowed for that district. A Consent Agreement allows the height violation to remain with the payment of fines and other penalties.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and approve the Consent Agreement. Passed unanimously.

Town Attorney Leah Rachin added that the Town Manager should be authorized to sign the agreement on behalf of the Town. Motion by Mrs. Chase, seconded by Mr. Roche, to amend the motion. Passed unanimously.

4. *Tudisco Corporation, dba: The Bull n Claw Restaurant, 2270 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 Mrs. Chase, seconded by Mr. Roche, to close the public hearing and grant the license. Passed unanimously.

5. *No Bad Days Inc., dba: Merriland Farm Café, 557 Coles Hill Road, 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. Roche, to close the public hearing and grant the license. Passed unanimously.

6. *The Steak Co., Inc., dba: The Steakhouse, 1205 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 Mrs. Chase, seconded by Mr. Roche, to close the public hearing and grant the license. Passed unanimously.

7. *Cardinali's Restaurant, Inc., dba: Fisherman's Catch, 134 Harbor Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)*

AND

8. *Cardinali's Restaurant, Inc., dba: Fisherman's Catch, 134 Harbor Road, Wells, application for 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 license and permit. Passed unanimously.

9. *Troiano Waste Services Inc., 10 Filmike Way, So. Portland, application for a Solid Waste Disposal 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.

10. *Pine Tree Waste/BBI, dba: Casella Waste Services, 87 Pleasant Hill Road, Scarborough, application for a Solid Waste Disposal 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.

11. *Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Pow-Wow to be held on July 18 & 19, 2020 at Wells Harbor Community Park.*

AND

12. *Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Silent Auction to be held at the Harbor-Fest on July 25, 2020 at Wells Harbor Community Park.*

AND

13. *Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Chili-Fest to be held on August 29, 2020 at Wells Junior High School.*

AND

14. *Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Family Jamboree to be held on October 3, 2020 at Wells Harbor Community Park.*

AND

15. *Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Veteran's 5K Road Race to be held on November 14, 2020 at the Wells Elks Lodge.*

AND

16. Wells Chamber of Commerce, 136 Post Road, Wells, application for a Mass Gathering Permit for a Christmas Parade to be held on December 13, 2020 on Route One.

Public comment was solicited and there was none.

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

17. Sharon Meyers, dba: Dsyers, 238 Laudholm Farm Road, Wells, application for a Mass Gathering Permit for a wedding to be held on her property on May 23, 2020.

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.

18. Good News

~The Taste of Wells was held last Sunday at YCCC. Kudos to Volunteer and Events Coordinator Cindy Adamsky for a successful event. There were over 300 attendees and 13 vendors including the crew of the USS Santa Fe. We need a larger venue next year.

~The wrestling team won their 4th State Class B Championship and 4 members were state champions. Thanks to the coaches for doing a great job with the team.

~The younger brother of building inspector Dave Johnson had a double lung transplant at Massachusetts General and is doing well.

19. Open to the Public

Public comment was solicited and there was none.

CURRENT AGENDA ITEMS

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

There is a Warrant dated February 18, 2020 with expenses of \$346,037.26, school payment of \$1,683,284.00, net payroll for the week ending 2/6/2020 in the amount of \$80,019.63, net payroll for the week ending 2/13/2020 in the amount of \$81,818.70, and FICA, Medicare, state and federal withholding taxes filed electronically in the amount of \$67,392.75 for total expenses of \$2,258,552.34.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated February 18, 2020 in the amount of \$2,258,552.34. Passed unanimously.

There is a General Assistance Warrant dated February 18, 2020 in the amount of \$843.76 for General Assistance and \$430.77 from the Special Fuel Fund. The balance in the fund is \$38,513.16.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated February 18, 2020 in the amount of \$1,274.53. Passed unanimously.

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

a) *Workshop discussion on Shading Devices as part of Chapter 86 Beaches.*

~This was a continuation of the discussion on shading devices at the beach after the January 21 public hearing. Concerns include:

~People staking out spaces overnight have created congestion at the beach. The beach is for everyone to enjoy.

~Allowing umbrellas and baby tents. People with various medical conditions should be able to enjoy the beach while being protected from the sun.

~Safety issues—maintaining the line of sight for the lifeguards and their direct access to the water.

~Not allowing devices to block public ways.

~High winds blowing items around.

Public comment was solicited.

~Tents and canopies are too dangerous and should be prohibited. Shading devices should not be left up all week to stake out space.

~Piping plover chicks are small and fragile, the size of a cotton ball. If a chick falls into a hole in the sand it can't get out and the parents can't rescue or feed it. The chick will starve to death. The piping plover monitors ask children to fill in any holes they have dug before they leave the beach. Holes left by umbrella poles, tent stakes, etc. are also a hazard for the birds.

~Easy-ups/pop-ups should be added to the list of prohibited items.

~When the high tide comes in the beach narrows and the presence of large devices blocks access for other people.

~People come very early and set up their devices, then go home and get the rest of the family.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing for March 3 at 6 PM in the Littlefield Meeting Room, 208 Sanford Road, Wells. Passed unanimously.

b) *Workshop on receiving the FY'21 Budget back from the Budget Committee and determining BOS review process.*

Finance Director Jodie Sanborn presented the Budget Committee's review. The proposed budget is under LD-1. The proposed municipal tax rate is \$3.56. Payback of the Transfer Station Enterprise Deficit was reduced. Our auditor would like to see it paid off as soon as possible. Our bond counsel feels that this might affect our bond rating if we have to bond for something else before this is paid off. Selectmen will meet with the Budget Committee on March 3 from 5-5:45 PM for a workshop, then schedule a reconciliation.

c) *Workshop and direction to Town Manager on developing a greater social media presence for the town government.*

We are considering subscribing to Town Hall live streaming and adding Face Book Live to the streaming. We already have a social media policy for employees, and now we are working with the Town Attorney on a policy for the Town. We are considering contracting out social media management and Mr. Carter is meeting with a consultant. Eventually we will be able to enhance the process for changing ordinances and policies. The consensus was to start with Face Book Live at \$25 per month and use a consultant rather than create an employee position.

d) Discussion and action on approving a request from the National Multiple Sclerosis Society, Greater New England Chapter for The 2020 Bike MS event.

Motion by Mrs. Chase, seconded by Mr. Roche, to allow the 2020 Bike MS Great Maine Getaway event scheduled to take place on August 1-2, 2020 through Wells along the route and schedule proposed and as recommended by the Wells Police Department. Passed unanimously.

e) Discussion and action on requesting to the State of Maine for an additional Agency Liquor Store in Wells.

Rep. Dan Hobbs has a constituent that would like to be an agency liquor store in Wells. Based on our population we are allowed 4 stores, and there is an exemption allowing more stores in tourist communities. With the upcoming census we may qualify for a sixth store. There are two businesses on the wait list. Mrs. Chase asked for input from the 4 existing stores about increasing the competition. Mr. Carter will contact them. This item was put on hold until more information is available.

f) Central Maine Power Company and Northern New England Telephone Operations LLC, application for a pole location permit for one pole located northerly 85' of pole #30.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the pole location permit. Passed unanimously.

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

1. Town Manager:

a) Resignation of Taylor Burns, Assistant Assessor. Taylor has been hired as the Assessor for Brunswick, close to his home.

b) Retirement of Jessica Keyes, Town Clerk. Jessica has work in the Clerk's office for 42 years and has decided not to run for re-election. She plans to retire June 15 after the Annual Meeting.

c) Andrea Kazilonis, Reference Librarian, has accepted a position at the new Falmouth Library, close to her home.

2. Selectmen:

a) Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Jessica Keyes as Warden for the March 3, 2020 Presidential Primary and Special Referendum Election. Passed unanimously.

b) Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Kerri Van Schaack as Deputy Warden for the March 3, 2020 Presidential Primary and Special Referendum Election. Passed unanimously.

h) Discussion and action to accept donations and bequests.

1. Receipt of \$50.00 from Kennebunk Savings Bank to the Wells Public Library in recognition of Desi MacLeod's volunteer service.

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

2. Receipt of \$50.00 from Kennebunk Savings Bank to the Wells Public Library in recognition of Patrick Theriault's volunteer service.

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

3. Receipt of \$29.00 from various Library users to the Wells Public Library.

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

i) Discussion and action on approving minutes of February 4, 2020 Selectmen's meeting.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the February 4, 2020 Selectmen's meeting minutes. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~The girls' basketball team won their game with Maranacook. The boys are playing Cape Elizabeth tonight and are up 40-32. Regional finals for both teams are Friday.

2. Town Manager's Report

~Condolences to the family of Don Allen who passed away recently. Don was a retired CPA, a former Selectman in Reading MA and long-time volunteer at the train station.

~The dedication list for the Town report is in tonight's packets.

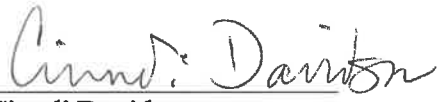
~Mr. Carter reviewed an impressive list of the Town's FY'20 highlights and accomplishments based on the work plan that was adopted last July.

3. *Adjournment*

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

Respectfully submitted,

Accepted by,


Cinndi Davidson,
Meeting Recorder