

## ***SELECTMEN'S MEETING - TUESDAY, FEBRUARY 19, 2019***

Present: Chairman Karl Ekstedt, Selectmen John Howarth, Kathy Chase and Dan Hobbs

Excused: Selectman Tim Roche

### ***5:00 PM WORKSHOPS***

***Workshop #1 – Solar Study Presentation by TRC on two potential town owned parcels for Solar Array installations. Also present: Juliet Caplinger and Amanda Wade from TRC Solutions.***

Juliet and Amanda reviewed the two proposed sites for a solar array, the old gravel pit and the former land fill site on 9B. Approximately 50 acres at the gravel pit and 23 acres at the land fill have potential as solar sites. The constraints are the wetlands, and if those areas are avoided it will facilitate permitting. The Conservation Commission has been consulted and supports the project at both sites.

Amanda found no geotechnical issues at the land fill and there were none when the houses were built. She recommended putting the panels on a ballast rather than digging into the ground. The estimate is an 11 MW AC system at the gravel pit and 4 MW at the land fill.

***Followed by:***

***Executive Session: Pursuant to 1 M.R.S. § 405(6)(C), to confer with solar developer on terms and conditions of an offer for leasing land from the Town for a solar array project. Also present: Juliet Caplinger and Amanda Wade from TRC Solutions, Town Attorney Jason Howe, Jack Kenworthy of Walden Renewables, Henry Weitzner of Walden Renewables on speaker phone.***

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

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

***Executive Session: Pursuant to 1 M.R.S. § 405(6)(A), to discuss a personnel issue.***

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

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

***Workshop #2 – Workshop on the renewal of the inter agency Beach Management Agreement.***

An important modification to the updated agreement is the prohibition of drones and ultralights over piping plover nesting areas during the nesting season. We had 7 nesting pairs last year.

***Workshop #3 – Discussion and review of 2017 Tax Foreclosures. Also present Finance Director Jodie Sanborn.***

Of the 40 notices sent out, full payment has been made on 9 accounts. The Board discussed individual accounts. The recommendation was to continue working with Ms. White, Mr. Ewerts and Ms. Streeter on their payment plans. Two waivers of foreclosure are recommended, a Sanford Road property with structural issues and a Sunset Ridge Road property whose owner is making payments. There will be an Executive Session with the Town Attorney on March 5 to discuss personal property taxes.

***Workshop #4 – Annual Report Dedication***

The list of previous dedications was reviewed. Suggestions for this report will be considered at the next meeting.

***7:00 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.***

Posting will be earlier this year because of the weather. There was more water than snow and the freeze/thaw cycles causing potholes and frost heaves. The Public Works Director can exempt this policy if the roads are frozen, and exemptions are granted for fuel oil trucks and other necessary vehicles. The signs will come down once the frost is out of the ground.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to close the public hearing and post the roads indicated on the hearing notice for the Spring Thaw Road Policy between February 20-April 19, 2019. Passed unanimously.

***2. Public hearing to review the annual 2019 Lodging Licenses.***

The list of licenses is consolidated into one public hearing each year, and the Board is asked to grant them once any compliance and fee issues are resolved.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to close the public hearing and issue the lodging licenses to the lodging establishments listed on the public hearing notice conditionally until all permit fees and any Code violations are resolved. Passed unanimously.

3. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for the Pow-Wow at Wells Harbor Community Park on July 27 and 28, 2019. (N)*

*AND*

4. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for a Silent Auction to be held at Wells Harbor Community Park on August 3, 2019. (N)*

*AND*

5. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for the Chili-Fest to be held at Wells Junior High School on August 24, 2019. (N)*

*AND*

6. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for the Family Jamboree to be held at Wells Harbor Community Park on September 14 2019. (N)*

*AND*

7. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for the Veterans Day 5K Road Race to be held at the Wells Elks Lodge on November 9, 2019. (N)*

*AND*

8. *Wells Chamber of Commerce, 136 Post Road, application for a Mass Gathering Permit for the Christmas Parade to be Held on Route One on December 15, 2019. (N)*

Public comment was solicited and there was none.

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

9. *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. Hobbs, to close the public hearing and grant the License. Passed unanimously.

10. *Maple Leaves Garden, Inc., dba: Maple Leaves Garden, 2063 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. Hobbs, to close the public hearing and grant the license. Passed unanimously.

11. *Casella Waste Services, dba: Pine Tree Waste/BBI, 87 Pleasant Hill Road, Scarborough, application for a Solid Waste Disposal License.(R)*

Public comment was solicited. There was a comment about traffic congestion and how many extra trucks there will be.

Routes 9 and 109 are state roads and we can't prevent anyone from using them.

Why do we issue licenses to firms that aren't in York County and let them use our transfer station? This license is to collect waste in Town. The company is a long term license holder.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to close the public hearing and grant the license. Passed 3-0-1 with Mr. Ekstedt abstaining.

#### 12. *Good News*

~The second annual Taste of Wells was held on Sunday. Volunteer and Events Coordinator Cindy Adamsky reported that 200 people were expected, while 300 attended and \$3334 was raised. Proceeds will be shared by Project Graduation and the Wells Heating Assistance Program. \$44 from a cake raffle is going to the Leukemia Society in memory of the sister of one of our vendors.

~Supt. Daly sent a letter thanking the Police Department for helping the SRO with an incident at the Elementary School.

#### 13. *Open to the Public*

Several speakers commented on the new parking policy at the harbor and asked to have marina parking restricted. Boat owners have to watch the tide clock, and having the parking spaces held just until noon may not work for them. Keeping the designated spots open all day would make the parking lot user-friendly for the slip owners. The change impacts both the recreational boaters and the charter boats. Changes are made over the winter and should be made when the people affected are in Town.

Chief Putnam said that the changes were drafted in consultation with the Town Manager and Harbor Advisory Committee. Originally there was no reserved parking for moorings, and noon was chosen as a compromise. She suggested that the charter boat customers could park at the harbor, and the boats would come over and pick them up. It would be good publicity for the charter boats. Mr. Ekstedt said the policy revisions are a trial and there will be flexibility. The parking enforcement people will keep statistics and changes will be made if necessary. Mr. Hobbs noted that the tides were not considered and there is a 3-4 hour window. Using a boat depends on the sea and the weather. Mr. Ekstedt thanked the speakers for their feedback and said we can respond if there are problems.

### ***CURRENT AGENDA ITEMS***

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

There is a Warrant dated February 19, 2019 with expenses of \$876,601.83, school payment of \$1,652,752.00, net payroll for the week ending 2/7/19 in the amount of \$80,184.91, net payroll for the week ending 2/14/19 in the amount of \$74,026.07, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$63,798.13 for total expenses of \$2,747,362.94.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to approve and sign the Warrant dated February 19, 2019 in the amount of \$2,747,362.94. Passed unanimously.

There is a General Assistance Warrant dated February 19, 2019 in the amount of \$1,040.00 including General Assistance of \$800.00 and \$240.00 from the Special Fuel Fund .The Fuel Fund balance is \$32,865.42.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to approve and sign the General Assistance Warrant dated February 19, 2019 in the amount of \$1,040.00. Passed unanimously.

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

a) ***Discussion and action to approve a Quitclaim Deed for property that had a foreclosure date of March 2, 2018. The 60 day buy back period for the property ended May 1, 2018.***

~Ewerts, Michael. Property is known as parcel number 0045/006-004.L. FY'16 taxes were paid on February 12, 2019.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to approve and sign the Quitclaim Deed to release the lien on the property listed above. Passed unanimously.

b) ***Discussion and action to approve two requests for Waivers of Foreclosure on properties as submitted by the Finance Director.***

Motion by Mrs. Chase, seconded by Mr. Hobbs: The Board of Selectmen, acting as the municipal officers of the Town of Wells, hereby finds and decides as follows:

1. The Town Finance Director has submitted two requests for Waivers of Foreclosure on properties identified by Map/Lot 0055/15-00L and Map/Lot 0020/006-000.

2. After due inquiry, the Board of Selectmen therefore approve the requests for Waivers of Foreclosure as submitted under oath by the Town Finance Director as authorized by 36 M.R.S.A. §944.

The motion passed unanimously.

c) ***Discussion and action on signing the renewal of the Beach Management Agreement Between Maine IF&W, USF&W and the Town of Wells for the period April 1, 2019- October 1, 2021.***

This agreement is renewed every 3 years to maintain a program for protecting the piping plovers. We have 40 volunteer monitors and patrols to protect the nesting areas. Ultralights and drones are now being prohibited in the vicinity. By agreeing to protect the plovers, we are allowed to do beach maintenance.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to have the Chair of the Board of Selectmen and the Town Manager sign the renewal of the Beach Management Agreement between Maine IF&W, USF&W and the Town of Wells for the period April 1, 2019-October 1, 2010. Passed unanimously.

d) ***Discussion and action on entering into an agreement to issue a permit for a stated period of time to a MDOT contractor, if necessary, for transporting construction equipment that exceed legal weight limits over municipal roads for the Route 9 repaving project scheduled for the spring / summer timeframe. The Town will request of the contractor a road bond if municipal roads are used for this work.***

We have the right to protect our local roads leading to Route 9 that the general contractor and sub-contractors will be using with heavy equipment.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to sign the agreement with MDOT that will allow the Route 9 pavement contractor under project #23927.00 to move heavier vehicles than allowed by the road limit over local roads and to secure a road bond if necessary for the period of the work to cover potential damage to those roads used. Passed unanimously.

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

1. ***Town Manager: We are into the second round of Harbor Master applications and 4 interviews are scheduled. Selectman Howarth and Chief Putnam are part of the Interviewing Committee.***

2. ***Selectmen***

Motion by Mrs. Chase, seconded by Mr. Hobbs, to appoint Richard DieBold as a full member to the Planning Board, with term to expire December 2021. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to appoint Richard Seiden as an associate member to the Planning Board, with term to expire December 2019. Passed unanimously.

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

1. \$25.00 cash donation from James Welch to the Town of Wells for the Fuel Assistance Program Fund.

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

g) ***Discussion and action on approving minutes of February 5, 2019 Selectmen's meeting***

Motion by Mrs. Chase, seconded by Mr. Hobbs, to accept the minutes as presented. Passed 3-0-1 with Mrs. Chase abstaining.

***NEW BUSINESS***

1. ***Open to the Public***

~Best wishes to Selectman Roche who is excused tonight.

~80% of our students participate in some sport and receive enthusiastic support from the community. Our wrestling team just won the state championship for the third year in a row. Congratulations to Selectman Chase's grandson Danny who won 2<sup>nd</sup> in the State as a freshman. Both the boys and girls basketball teams are in the tournament.

2. ***Town Manager's Report***

Condolences to Selectman Chase on the loss of her father Bob Hamlyn.

3. ***Adjournment***

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

Respectfully submitted,

Accepted by,



Cimndi Davidson,  
Meeting Recorder









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