

SELECTMEN'S MEETING -TUESDAY, JUNE 5, 2018

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

5:00 PM Workshops

1. Discussion on the design of the proposed Fire Substation.

Also present: Kevin French and Mason Rowell of Landry-French, Fire Chief Wayne Vetre and Police Chef Jo-Ann Putnam.

Karl's concerns are to have everything we need at Post Road and to make sure that the \$200,000 contingency is enough. Kathy asked about the bunkrooms and kitchen at the substation. Wayne said the NFPA code requires sprinklers if anyone is sleeping there. The Maine code does not require sprinklers in an unoccupied station, so the sprinklers can be deferred until we staff the station. The Associations have office space at the Branch Station and High Pine, and space will be available for them. Karl asked about downsizing the substation until the main building is completed and we know the final cost, then things can be added back to the substation. Jon suggested postponing the substation. Wayne said the design is as small as possible for combining the two current substations. We need to provide separate quarters and showers in case we hire female firefighters.

Kevin said they will time the construction so the substation will start when the main building is about 70% complete. Groundbreaking for the substation is targeted for Spring 2019. If the Town wants to consider another piece of land, such as the High Pine footprint or the Town garage, there is time. Tim said we should look for a better location and might be able to save on prep work. The major part of the substation cost is below ground, including the blasting and foundation. Most of the items we would add back in can wait until the end of the project. Karl said we should build what we need at Post Road without shortchanging the call firefighters.

Kevin reviewed the two contingency funds. The owner is responsible for unknowns, errors & omissions in the drawings, design errors and architectural changes. Landry-French is responsible for site work and the subcontractors.

The consensus was that the Planning Board review of the substation should continue. Tim said we should start looking at other land now.

2. Executive Session: Discussion with Town Attorney on settlement of a Land use potential litigation matter per 1 M.R.S.A 405 (6)(E).

Motion by Kathy, seconded by Tim, to go into Executive Session. Passed unanimously.

Motion by Kathy, seconded by Tim, to come out of Executive Session. Passed unanimously.

3. *Executive Session: Review and discussion with Interim Public Works Director on her update on the Wells Public Works Department 1 M.R.S.A. § 405(6)(A).*

Motion by Kathy, seconded by Tim, to go into Executive Session. Passed unanimously.

Motion by Kathy, seconded by Tim, to come out of Executive Session. Passed unanimously.

4. *Amending the Purchase and Sales Agreement for Quake*

Also present: Keith Fletcher and Dr. Owen Grumbling of the Conservation Commission.

Mr. Quake and the Town thought that the 2.7 acre lot was developable, but he needs 5 acres for a legal house lot and 50' of road frontage. The Commission is trying to accommodate him even though the land is under contract. The proposal is to reduce the price by \$3,200 to \$169,300 and give him 1.32 acres to add onto the lot. He would also retain some ownership in the 50' wide strip to give the lot frontage. The Town will be able to use the strip. The Town Attorney has reviewed the documents and drafted an amendment to the Purchase and Sales Agreement. The money will be adjusted at the closing. This will not have to go to Town Meeting because the purchase price has decreased.

5. *Renewal of the Wells National Estuarine Research Reserve Management Authority (RMA) Memorandum of Understanding (MOU).*

The document was signed by the Selectmen in 2006. It is being renewed with no change.

7:00 p.m. – SELECTMEN'S MEETING

Special Presentation: 2017 Town Report Dedication

Interim Fire Chief Sherman Lahaie read the dedication which he wrote in memory of Bob Bohlmann. Copies of the Annual Report were given to Bob's family members. Chief Lahaie also prepared a tribute to Bob with patches and a plaque which will be displayed in the new fire station.

Special Presentation: 2018 Shoreline Explorer Program and Stops in Wells

Deb Paradis, Deputy Director of Administration for YCCA, distributed the list of Blue Route stops for this season. The southernmost stop will be at the Molly Trolley depot where people can transfer to trollies for the Ogunquit beaches. The Blue line will continue going to Wells Beach and as far north as Bypass Road. 4B will serve the Harbor, Wells Reserve and Lower Village.

Mr. Howarth asked if there could be trips up Route 9B with the increased construction in that area and many seniors moving in. It is a matter of funding, obtaining more vehicles and hiring and training drivers. There is a national shortage of CDL drivers. She appreciated the suggestion and they will consider it.

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. *Public hearing to release additional funds up to \$40,000 from the Beach Enterprise Fund for lifeguards' compensation to cover the FY'18 and '19 Budget cycles to remain competitive with the lifeguard seasonal recruitment market.*

We need to be more competitive with compensation for our lifeguards. The Fire Chief and PAC recommend a starting wage of \$14.50 per hour with \$15 for returning lifeguards.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and release additional funds up to \$40,000 from the Beach Enterprise Fund for the lifeguards' compensation to cover the FY'18 and FY'19 budget cycles. Passed unanimously.

2. *June 12th Town Meeting and FY'19 Municipal Budget Informational Hearing.*

the budget process began last October and has just concluded. The budget includes operations, revenues, salaries and CIP. The budget is up because we moved the train station and transfer station into the taxation part. We are also paying the bond debt for the public safety buildings. We are under the LD1 tax cap ceiling.

There are several warrant articles including an additional SRO, the open space purchase, repairing the Recreation Department field, installing 486 LED street lights with a 5 year payback period on our electric bill, and an easement for utilities for the public safety buildings.

3. *DCS Inc., dba: Stutesy's Pub & Grille, 52 Post Road, Wells, application for a full-time Malt, Vinous & 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.

4. *Coast to Coast Catering Inc., dba: Coast to Coast Catering Inc., 835 Sanford Road, Wells, application for a full-time Malt, Vinous & Spirituous Liquor License. (N)*

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. *Billy's Chowderhouse Inc., dba: Billy's Chowder House, 216 Mile Road, Wells, application for a full-time Malt, Vinous & Spirituous Liquor License. (R)*

AND

6. *Billy's Chowderhouse Inc., dba: Billy's Chowder House, 216 Mile 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 license and permit. Passed unanimously.

7. *Pointer Hospitality, LLC, dba: Spinnakers, 139 Post Road, Wells, application for Extension of Liquor License on Premise. (N)*

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.

8. *Gary Tassinary, dba: Burrito Betty's, 14 Hickory Lane, York, application for a Food Truck License. (N)*

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.

9. *Dennis and Whitney McMahon, dba: Captain Satch, 793 Morrills Mills Road, North Berwick, application for a Commercial Recreation Business 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. *Nicholas Boudreau, dba: Captain Nick Fishing Charters, 6 Maple Street, Sanford, application for a Commercial Recreation Business License. (N)*

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. *Good News:*

1) WEMS received a letter from Soups On thanking them for supporting the community lunch program and for providing medical assistance when a volunteer was injured.

2) ***Wells PD Letter***

Chief Putnam received a thank you letter for the compassionate response by police officers and WEMS personnel to a medical emergency.

3) ***Storm Clean up letter***

The Town received a thank you letter from a resident at the beach who appreciates the quick repairs of the March storm damage.

4) ***Odyssey of the Mind Letter***

Our students had a Buddy team from Poland and enjoyed spending time with them. The Wells team came in 6th place in the world. It was their second consecutive year placing in the top 10.

5) ***Baseball and Softball***

Both teams finished #1 in Western Maine and will host games at the high school Thursday.

6) ***Family Feud***

The Selectmen came in #3 (out of 8 teams). Thanks to the Recreation Department for arranging the contest.

12. ***Open to the Public (10 minutes)***

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 June 5, 2018 with expenses of \$345,086.15, no school payment, net payroll for the week ending 5/24/18 in the amount of \$76,782.78, net payroll for the week ending 5/31/18 in the amount of \$79,467.45, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$63,269.91 for total expenses of \$564,606.29.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated June 5, 2018 in the amount of \$564,606.29. Passed unanimously.

There is a General Assistance Warrant dated June 5, 2018 in the amount of \$125.93 from the Special Fuel Fund. The balance in the fund is \$41,872.86.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated June 5, 2018 in the amount of \$125.93. Passed unanimously.

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

a) ***Discussion and action on the award of the Fuel Oil Bid.***

The following bids were received for the Town and General Assistance fuel:

	Estes Oil & Propane	Garthwaite Energy	Downeast Energy	Irving Oil
#2	\$12,480	\$12,935	\$14,450.80	\$13,925.60
K1	\$ 3,965	\$4,546.75	\$ 4,028.70	-----
Total	\$16,445	\$17,481.75	\$18,479.50	

Motion by Mrs. Chase, seconded by Mr. Roche, to award the Fuel Oil Bid to Estes Oil and Propane. Passed unanimously.

b) *Discussion and action on approving a Pavement Management Program*

There is a software program that will give us a pavement management plan. There is a video of all roads and maps their conditions, providing a GIS map. We will also get a traffic sign inventory. The cost is \$36,000 per year for 3 years. Interim Public Works Director Carol Murray recommends the program.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the Street Scan 3 year proposal for the development of a Pavement Management Program for the public roads in Wells including a traffic sign inventory. Passed unanimously.

c) *Discussion and action on approving an amendment to the Quake Irrevocable Trust Purchase and Sales Agreement.*

The seller wishes to retain a legal size lot and street frontage, and the sale price will be reduced. Adjustments will be made at the closing.

Motion by Mrs. Chase, seconded by Mr. Roche, to amend the Quake Irrevocable Trust Purchase and Sales Agreement that provides for the seller to maintain a legal lot by decreasing the land acreage to be purchased by the Town by 1.32 acres and decreasing the sale price by \$3,200.00 to \$169,300.00. Passed unanimously.

d) *Discussion and action on scheduling public hearing on granting a consent agreement to resolve the infringement on the Cemetery Easement at Buffam Hill.*

The back lot was sold by the bank and subsequent development encroaches on the cemetery buffer zone (a bay window and propane tank). There is a fine of \$2,500 for a fence to delineate the buffer.

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing regarding the Cemetery Easement Consent Agreement for June 19, 2018 at 7 PM in the Littlefield Meeting Room of Town Hall, 208 Sanford Road, Wells. Passed unanimously.

e) *Discussion and action on the request to sign the Wells National Estuarine Research Reserve Management Authority (RMA) Memorandum of Understanding.*

This is a renewal of the MOU that sets forth how the Wells Reserve and the Town operate collectively. The RMA was created by the Legislature.

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Selectmen Chairman and Town Manager to sign the renewal of the RMA MOU. Passed unanimously.

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

~Fitzpatrick, Thomas & Fitzpatrick, Catherine. Property is known as parcel number 0019/008-147.T. Payment was received to pay FY 16, FY 17 and FY 18 on May 1, 2018.

~Gagliastre, Michael & Gagliastre, Linda A. Kugler. Property is known as parcel number 0129/031-024. Payment was received to pay FY 16, FY 17 and FY 18 on May 30, 2018.

~Haczynski, Richard & Divicino, Sheri. Property is known as parcel number 0048/007-000. Payment was received to pay FY16 on May 1, 2018.

Holland, Cynthia G. et al. Property is known as parcel number 0045/008-00D.1. Payment was received to pay FY 16 on May 1, 2018.

AND

g) *Discussion and action to approve a Quitclaim Deed on an approved payment plan that had a foreclosure date of March 15, 2017. The 60 day buy back period for the property ended May 15, 2017.*

~Ewerts, Michael. Property is known as parcel number 0045/006-004.L. Payment was received to pay FY 15 on December 30, 2017.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Quitclaim Deeds to release the liens on the properties listed above. Passed unanimously.

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

i. *Town Manager*

1. Acceptance of the resignation of Brian Stetson, Assistant CEO, to take a position with the Town of Windham.

1. Appointment of Kris Redman as part-time Assistant Harbormaster, as recommended by Chris Mayo.

ii. *Selectmen*

1. Annual Position Appointments

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the annual position appointments as required by the State of Maine. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Constance Bemis as Republican member to the Voter Registration Appeals Board with term to expire June 2021. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Robert Zitzow as Republican alternate member to the Voter Registration Appeals Board with term to expire June 2020. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Jocelyn Layman as Democratic member to the Voter Registration Appeals Board with term to expire June 2021. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Cynthia Dubea as Democratic alternate member to the Voter Registration Appeals Board with term to expire June 2020. Passed unanimously.

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

1. \$100.00 donation from Gary Wulf to the Town of Wells for the Summer Concert Series in memory of Nancy Wulf.

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. \$25.00 from Various Library Users to the Wells Public Library.

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

3. \$832.65 from the Maine Municipal Employee Health Trust Wellness Works Program for use by the Wells Wellness Committee for programs.

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

j) *Discussion and action on approving minutes of April 25, 2018 Workshop and May 15, 2018 Selectmen's meeting*

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the April 25 and May 15, 2018 minutes as written. Passed unanimously.

NEW BUSINESS

1. Open to the Public

Mrs. Chase mentioned that people have been trespassing on the Bridge of Flowers on Route One and also onto the abutting private property. People have asked her about putting up No Trespassing signs or a fence. Mr. Carter said we are looking into it and want something that looks nice. People have been climbing up the falls and walking in back on private property.

2. Town Manager’s Report

~On Tuesday, June 19 at 10 AM there will be a groundbreaking with Landry-French and Lavallee Brensinger for the new public safety complex.

~Raise the Floor: we will use our meeting room to host a meeting of communities participating in the campaign. The room is reserved for 11 AM on June 26.

~The Currituck is on station at Wells Harbor and has been dredging the channel 24/7.

~Furbish Road is coming along. We hope to have the paving and guard rails done in the next 2 weeks.

~The kick-off meeting for the Federal Lands Grant projects (Harbor Road and Furbish Road) was held Monday with the State of Maine and DOT. Mike Livingston is the project manager. We will be looking for a consultant for each project to start the design phase.

~June 12 is Election Day. The polls are open from 8 AM-8PM at the Junior High School.

~Engine 1 has been sold for \$6,000.

~Mr. Carter has signed the GMP for the public safety building.

3. Adjournment

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder