

SELECTMEN'S MEETING - TUESDAY, JUNE 19, 2018

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

5:00 PM Workshops

1. Discussion and action on including the Harbor Beach under Town's regulations as other public beaches in Wells.

A citizen complained about the lack of a public hearing regarding restrictions on dog owners at Harbor Park Beach. The beach has become more crowded and people are letting their dogs run loose. We put up the same regulatory signage that we have at the other beaches. In addition to public safety, this area is a shellfish and migratory bird area. Having dogs in this area can create problems with sanitation and wildlife protection.

From June 16-September 15, dogs are prohibited from the beaches between 8 AM and 6 PM. During other hours dogs must be on a leash and controlled by a responsible person. Tim said there are few places in Town to take a dog. Dogs should be leashed but not banned. Jon was concerned about sanitation and the interactions with other dogs and people during the peak season. Kathy recommended taking no action unless it becomes an issue. There are bags in various locations for people to clean up after their dogs. Karl was concerned about the wildlife management program and the piping plovers.

The consensus was to table this item unless it becomes a problem.

2. Executive Session: Discussion with Town Attorney on settlement of a tax foreclosure matter per 1 M.R.S.A 405 (6)(E). Also present Town Attorney Leah Rachin.

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.

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); Also present Interim Public Works Director Carol Murray and Human Resources Director Martha Sumner.

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.

4. Discussion on the design of the proposed Fire Substation. Also present Fire Chief Wayne Vetre.

Jon and Mike Livingston have looked at the High Pine and Town Garage locations. The geo-tech cost for each site would be \$25,000-30,000. Libby-Scott recommended elevating the building so the septic pump wouldn't be on ledge. That would save \$45,000-50,000 out of the \$400,000 ground work cost. The cost for the parking area would also come down. Site development costs are down to \$340,000-350,000. Landry-French is pricing the building. Tim asked if Route 9 is a better location than Meetinghouse Road for quick

access in emergencies. Wayne said we should consider the growth in the Tatnic area and toward the Berwicks. Relocating the substation would improve response times in that part of Town.

The interior construction is more residential-type which will help with the cost. Sprinklers are a good idea because we require them in other buildings. With this type of construction, if they are needed they can be added later with minimum demolition. The project is on the Planning Board agenda for July 2. The consensus was to proceed with the Planning Board and get the building permitted while looking at alternate sites.

7:00 p.m. – SELECTMEN’S MEETING

Special Presentations:

1) *Wells Odyssey of the Mind*

Team members who won the 6th place award at the World Finals in Iowa demonstrated their talking fence and played a video of their Charlotte’s Web performance. Was Charlotte murdered or did she die from natural causes? The team thanked the Selectmen for their financial support which helped with the cost of the Iowa trip.

2) *Recognition of two Employees with 25 years and 30 years of service.*

Chief Putnam praised Lt. Gerry Congdon for his 30 years with the Police Department. Lt. Congdon has held a variety of positions in the Department and now serves as her #1 go-to person.

Mr. Carter reported on the Employee Recognition BBQ that was held last week. People with 1, 5, 10, 15, 20, 25 and 30 years’ service were recognized. Plaques are awarded for 25 and 30 years.

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. *Public Hearing on issuing a Consent Agreement to clear up issues with the Hubbard Subdivision Road.*

Town Planner Mike Livingston reviewed the history of the property, which was sold without knowledge that a ROW across it had been conveyed. The mortgage holder was unaware of the conveyance and could not consent. There is a problem with access to 3 other properties that use Lois Lane. The Bergins are conveying a 25’ ROW across their property to benefit the properties that need access. The Town agrees not to deduct that area from the Bergins’ property lot size and that no setback requirements will be applied. The Bergins’ lot is recognized as one lot of record.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and sign the Consent Agreement to clear up issues with the Hubbard Subdivision Road. Passed unanimously.

2. *Public hearing on granting a Consent Agreement to resolve the infringement on the Cemetery Easement at Buffum Hill.*

Mr. Livingston described the Town's agreement with the developer of Sea Landing regarding the cemetery and the buffer around it. One of the homes in the condominium development has some minor encroachments into the 25' buffer. The developer has agreed to pay a fine, reimburse the Town for our legal expenses, and pay for a fence marking the cemetery boundary.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and sign the Consent Agreement to resolve the infringement on the Cemetery Easement at Buffum Hill. Passed unanimously.

3. ***Andrew Steinberg, dba: Pizza By Fire, 1 Industrial Way, Portland, 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.

4. ***Al and Linda Clark, dba: Fahrenheit 225 LLC, 183 Webber Avenue, Lewiston, 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.

5. ***Dylan Gardner, dba: Falafel Mafia, 175 Congress Street, Portland, 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.

6. ***Bill Linnell, dba: Cap'n Bill's Lobster, LLC, 1905 Congress Street, Portland, 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.

7. ***North East Ice Cream LLC, dba: North East Ice Cream, 98 Beach Hill Road, Exeter, NH, application for an Ice Cream Truck 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.

8. ***Good News***

~The ribbon cutting ceremony at the new Library addition was held on Saturday. Thank you to the Hall Family Foundation, the Library trustees and everyone who contributed to the project.

~The ground breaking for the new Public Safety Complex was held this morning.

~The baseball team went to the State finals on Saturday, losing 3-2 to Brewer. Congratulations to the team for a great season.

~The food truck park at Congdon's Donuts has become a community center. People are getting together and having a good time. Thanks to Gary Leech for his vision to enhance our community.

~Mr. Ekstedt thanked everyone who volunteered and contributed to the Library addition. It was constructed with no tax dollars. The Town could not afford it in addition to the public safety buildings. Community spirit has triumphed.

~There were 52 bike winners in the elementary school reading project. The number of books read is in the thousands, including one student who read 175 books. The children were very polite during the award ceremony and were happy for each other.

9. ***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 June 19, 2018 with expenses of \$364,346.44, school payment of \$1,610,295.06, net payroll for the week ending 6/7/18 in the amount of \$78,495.83, net payroll for the week ending 6/14/18 in the amount of \$80,422.43, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$63,971.99 for total expenses of \$2,197,531.75.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated June 19, 2018 in the amount of \$2,197,531.75. Passed unanimously.

There is a General Assistance Warrant dated June 19, 2018 in the amount of \$349.76 including \$74.43 of General Assistance and \$275.33 from the Special Fuel Fund. The balance in the fund is \$41,746.93.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated June 19, 2018 in the amount of \$349.76. Passed unanimously.

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

a) ***Discussion and action on determining if the Selectmen Meeting on July 3, 2018 should be rescheduled to July 10 and second meeting in July to July 24 because of the July 4th Holiday and 5 Tuesdays.***

Motion by Mrs. Chase, seconded by Mr. Roche, to move the Selectmen's meetings dates to July 10 and July 24 because of the July 4th holiday. Passed unanimously.

b) ***Discussion and action on setting a Public Hearing on inclusion of the Harbor Park Beach and Inner Harbor Beaches under same regulations as other Town beaches.***

This item was tabled.

c) ***Discussion and action on engaging a Coastal Geologist to undertake the renewal of the permit allowing winter cobble to be moved away from seawall and Beach ROWs for the beaches and ROWs in Wells.***

The Town's permit for removing cobble has expired. A consultant is required to renew the permit for removing cobble from seawalls, ROWs and beaches from Drakes Island to Moody. The Town Manager has obtained a proposal from Tighe & Bond at \$5,000. DEP requires 90 days to issue the permit.

Motion by Mrs. Chase, seconded by Mr. Roche, to have the Town Manager engage the services of Tighe & Bond for the purpose of renewing the cobble movement permit to cover all the beaches in Wells and their public ROWs. Passed unanimously.

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

~Riley, Christopher. Property is known as parcel number 0043/005-906. Payment was received to pay FY' 16, FY'17 and FY'18 on June 7, 2018.

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

e) ***Discussion and action to authorize the Town Clerk to grant an extension for a liquor license which has expired and is scheduled for a public hearing at the next Selectmen's meeting.***

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Town Clerk to grant an extension for a liquor license which has expired and is scheduled for a public hearing at the next Selectmen's meeting. Passed unanimously.

f) ***Discussion and action to authorize the Town Clerk to sign applications for Special Permits for Catering Privileges.***

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize the Town Clerk to sign applications for Special Permits for Catering Privileges. Passed unanimously.

g) ***Discussion and action on the 2017 Update to the Comprehensive Plan.***

The updated plan was approved by the State on September 25, 2017. Feedback from the public will be posted on the Town's website.

Motion by Mrs. Chase, seconded by Mr. Roche, to enable and assign the Planning Board the task of performing a final review of the 2017 update of the Wells Comprehensive Plan, holding a series of workshops to consider said plan and any feedback received, making a report to the Board of Selectmen with any recommendations for changes and /or readiness to be placed on the Wells ballot for November 2018, and holding a public hearing or hearings on said plan, one of which shall be held with the former CPURC. Passed unanimously

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

Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Jo-Ann Putnam as Acting Town Manager during the Town Manager's vacation from June 21, 2018 to June 25, 2018. Passed unanimously.

i) *Discussion and action on granting Central Maine Power a Standard Utility Easement Deed to bring utilities into the new Public Safety Complex.*

This was approved by the voters at Town Meeting in June 2018.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and authorize the Town Manager to sign the Standard Easement Deed for Central Maine Power to bring utilities into the new Public Safety Complex. Passed unanimously.

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

1. Digital thermometer from Jane Didzbalis of Wells to the Wells Police Department for use in checking animals and children in closed vehicles.

Ms. Didzbalis saw an animal in a hot car and called the Animal Control Officer. She purchased the thermometer that the ACO can carry. The thermometer is held against the glass. Mr. Howarth was concerned about a possible lawsuit. The Police Department will investigate the legal issues.

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. \$10.00 donation from Rosita Steigrad to the Wells Public Library in honor of Henry Atherton Burritt.

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. \$110.00 donation from Wells Rotary to the Wells Public Library for the purchase of children's books.

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

4. \$3,000.00 from Friends Supporting Wells Public Library to the Wells Public Library on budget.

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

k) **Discussion and action on approving minutes of May 22 and June 5, 2018 Selectmen’s meetings.**

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the May 22 and June 5, 2018 minutes as written. Passed unanimously.

NEW BUSINESS

1. Open to the Public

~Mr. Ekstedt noted that a child had been scalded by hot water from a garden hose. Parents should make sure the water is cold before allowing children near it.

~Mr. Howarth cautioned everyone to watch out for children playing and riding bikes now that school is out.

~Chief Putnam reported on the new traffic pattern around the public safety buildings. Public parking is behind the old Cumberland Farms site. There will be a fenced walkway to the back of the building for the public to get to dispatch.

2. Town Manager’s Report

~Furbish Road will be open Wednesday. Thank you to the residents for their patience during the construction. The road surface will be gravel through the summer and will be paved in the fall.

~Town Meeting June 12: All the warrants passed.

~FEMA has announced that the 90 day appeal period for our flood maps will be soon. Our consultant is preparing the appeal materials.

3. Adjournment

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder
