

## ***SELECTMEN'S MEETING - TUESDAY, AUGUST 21, 2018***

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

Excused: Selectman Tim Roche

### ***5:00 PM Workshops***

**1. *Management Access of Abandoned Colonial Roads (New Hall, Hill and Green Roads) and sections off Cheney Woods Road. Also present Town Attorney Ben McCall, Town Planner/Engineer Mike Livingston, Police Lt. Gerry Congdon.***

The Town abandoned these roads in 2006 while keeping an easement. The property owners have been experiencing destruction of their property by off road ATVs and 4x4 pickups, and installed a gate across New Hall Road. The Town was given a key for the public safety departments. The Nature Conservancy owns a large parcel along Cheney Woods Road, and they have also been experiencing destruction and trash dumping. The Wells Police and Maine Warden Service joined the discussions with the Town and property owners. The owners are willing to continue allowing public access for hunting and fishing. The Nature Conservancy has installed boulders to keep vehicles out and placed security cameras. They are interested in working with the Town and property owners.

There is a draft ordinance clarifying the treatment of abandoned roads in tonight's packets. Mike displayed a GIS map of the area showing the roads, existing gate and proposed additional gates. The property owners would have keys to the gates and there would be Knox boxes for the public safety access. Signs will be posted. Gerry said there are some game cameras and the police can put up more. The enforcement problem is mainly with trucks, rather than ATVs, and people partying. Police cruisers would get stuck during mud season. One of the property owners said there hasn't been any more trouble with trucks since the gate went up. A concern is parking because the road is so narrow. A fire truck couldn't pass a parked vehicle. Karl asked if people hunting and fishing will need written permission and if they will have cards for their windshields so they don't get towed. Kathy said the signs should say that violators will be prosecuted. Jon said that IF&W will post signs with the Town signs. Gerry was asked about the number of police calls. He said the neighbors are reluctant to call because of concerns about retaliation.

Ben discussed the proposed ordinance changes. The public easement would be retained and the owners and their guests would have motor vehicle access over the abandoned roads to reach their homes. The Town will maintain an inventory of the abandoned roads. Ben clarified that a "discontinued road" is private and the Town has no further interest in it. An "abandoned road" retains the public interest and easement and the Town can spend some money to improve the road. The neighbors are interested in improving the road to make it nicer for walking and bike riding, and safer for emergency vehicles. Karl commended the property owners for working together on this issue and for allowing public access.

Next steps: 9/4/18 BOS will hold a public hearing on enacting the ordinance.

9/18 BOS public hearing to release the funds for additional gates. Probably an interim meeting to discuss the cost of the gates. A vote is needed before the signs are put up.

**2. *Town Acquisition of State Land at the corner of Route One and Mile Rd. (old 7/11 parcel adjacent to Irving Oil) for Pocket Park. Also present Town Attorney Ben McCall, Town Planner/Engineer Mike Livingston.***

Thanks to Ron Collins for helping us negotiate this with the State. The State bought this parcel from Irving Oil when we redid the intersection. The land had to remain State property for a certain period of time, then we offered \$5,000 and it was accepted. The State imposes restrictions whenever it turns over land, such as no commercial use of the property.

**3. *Discussion on the 2016 Comprehensive Plan***

Karl said there is a lot of misinformation on the Internet and he wants all our volunteers to realize that their efforts are important to the Town. He recommended tabling this, forming a new committee and starting over. The consensus was that we need a complete overhaul.

**4. *FY'18 Carry Forward Funds. Also present Finance Director Jodie Sanborn.***

Our process includes a 13<sup>th</sup> month to allow closing the books during July. Ongoing projects can be handled with a purchase order or a carry forward. The BOS has asked to minimize the amount carried forward. The Police Department is asking to carry forward the setup for their new cars and the new communications tower. The Fire Department and EMA are restocking supplies after the storm.

An excess of \$818,261 was put back into surplus. The department heads are asking to carry forward \$262,513 of that amount. The carry forward balance decreased \$82,491.11 from FY 2017. Karl thanked all the department heads for being responsible with the finances.

**5. *Transfer Station Rates. Also present Finance Director Jodie Sanborn.***

The current fee for brush and wood is not market appropriate and the recommendation is to reduce it from 8 to 4 or 5 cents a pound. At 8 cents our profit was \$3,804.77. At 5 cents per pound we would make \$6,268.00 which is at the break-even point. Some loads that come in at the end of the day are estimated rather than being weighed. It isn't fair to people who come earlier in the day and pay the exact fee. Some people have unsecured loads and trash blows out of their trucks all over Town, which other people clean up.

The consensus was to reduce the rate to 5 cents.

**6. *Update on the Bridge of Flowers Fence***

The abutter is willing to allow fishing below the falls as long as there is no trespassing on her land. She has had problems with people partying, graffiti on the rocks, etc. Anchor Fence put up the wrong fence. The proposal is for one gate, a No Trespassing sign and a sign for fishing only with permission of the landowner. The fence will be green or black.

**7. *Interviews for Boards and Committees***

~Delaney Gray, Recreation Commission

~Betsy DiCapua-Personnel Advisory Committee

***MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS***

1. ***Good News:***

- ~The Town received a thank you note from a resident who received fuel assistance last winter.
- ~The Town received a thank you note from the Friends of the Wells Public Library for helping with their book sale. The Public Works Department moved the books for them.
- ~It was a good season for piping plovers. The last plover has left and flown south. Thanks to our plover monitors.
- ~Good news from WEMS: A family came in to thank them for delivering Baby Davis in their ambulance.

2. ***Open to the Public***

There was a question about the status of the Comprehensive Plan Update. Mr. Ekstedt said the Board would move up this agenda item.

***CURRENT AGENDA ITEMS***

1. ***Discussion and action on the Updated draft 2016 Comprehensive Plan.***

There has been opposition to moving the Plan forward and questions about the validity of the data in the 2005 version. Unfortunately, some incorrect information is circulating on social media. After consultation with the Planning Board, the Selectmen have decided to table the 2016 Plan and convene a new committee. Thank you to the members of the original committee for their time and effort.

Motion by Mrs. Chase, seconded by Mr. Howarth, to table the Comprehensive Plan from moving forward. Passed unanimously.

2. ***Review and action on Accounts Payable and Payroll Warrants.***

There is a Warrant dated August 21, 2018 with expenses of \$2,284,341.28, school payment of \$1,652,752.40, net payroll for the week ending 8/9/18 in the amount of \$107,332.01, net payroll for the week ending 8/16/18 in the amount of \$101,158.95, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$85,459.07 for total expenses of \$4,231,043.71.

Motion by Mrs. Chase, seconded by Mr. Howarth, to approve and sign the Warrant dated August 21, 2018 in the amount of \$4,231,043.71. Passed unanimously.

There is a General Assistance Warrant dated August 21, 2018 in the amount of \$114.35.

Motion by Mrs. Chase, seconded by Mr. Howarth, to approve and sign the General Assistance Warrant dated August 21, 2018 in the amount of \$114.35. Passed unanimously.

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

a) ***Discussion and action on setting a Public Hearing for September 4, 2018 at 7PM in the Littlefield Meeting Room regarding amending Chapter 201 (Streets and Sidewalks) and Chapter 212 (Vehicles and Traffic) of the Code of the Town of Wells to Clarify and amend Regulations pertaining to the use of Roads abandoned by the Town.***

This item was discussed in an earlier workshop with property owners in the neighborhood. The roads were abandoned in 2006 and are covered by an easement which lets the public use them for walking and bicycling. Because of damage caused by 4 wheelers and ATVs and large amounts of trash left behind, the neighbors

have put up a gate on Newhall Road. Discussions have been held with the IF&W Warden Service and Wells Police about protecting the property. There is a proposal to amend the ordinance regarding abandoned roads and put up gates to keep out unauthorized motor vehicles.

Motion by Mrs. Chase, seconded by Mr. Howarth, to schedule a public hearing in the Littlefield Meeting Room for 7 PM on September 4, 2018 on a proposed ordinance amendment to clarify and amend regulations pertaining to the use of roads abandoned by the Town. Passed unanimously.

**b) *Discussion and action on the proposed FY'18 Municipal Carry Forward Funds.***

At an earlier workshop, Finance Director Jodie Sanborn presented a list of funds recommended to be carried forward into the new fiscal year. \$262,513 is being requested to be carried forward into FY'19. This is \$82,000 less than last year. We are putting over a half million dollars into surplus. Thank you to Ms. Sanborn and the department heads for a great job.

Motion by Mrs. Chase, seconded by Mr. Howarth, to carry forward the list of FY'18 municipal budget funds and accounts recommended by the Town Manager and Finance Director in the amount of \$262,513 into the FY'19 budget. Passed unanimously.

**c) *Discussion and action to proceed with the purchase of the land adjacent to Mile Road on Route One from the State Maine for use as a park in the amount of \$5,000.***

The State purchased the former 7-11 site from Irving Oil and a small portion of the land was needed to improve the intersection. After a certain number of years the community can buy the land from the State. Thank you to Senator Ron Collins for helping us negotiate with MDOT.

Motion by Mrs. Chase, seconded by Mr. Howarth, to authorize the Town Manager to sign the MDOT Memorandum of Agreement and expend up to \$5,000 from the Pocket Park CIP to purchase the .25 acre property. Passed unanimously.

**d) *Discussion and action to schedule a public hearing on the Transfer Station Fee structure regarding changes to brush and wood fees.***

Several members of the public requested a reduction of the fees since the cost to the public is more than we pay to get rid of it. The Town is charging 8 cents/lb. and paying 4 cents/lb. to get rid of it. A reduced fee of 5 cents would approximate the break-even point.

Motion by Mrs. Chase, seconded by Mr. Howarth, to schedule a public hearing on adjusting the brush and wood fee charged at the Wells Transfer Station from 8 cents a lb. to 5 cents a lb. on September 4, 2018 at 7 PM in the Littlefield Meeting Room of Town Hall. Passed unanimously.

**e) *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.***

~Sheridan, Fahimeh & Sheridan, Daniel. Property is known as parcel number 0027/004-001.198. Payment was received to pay FY 16 on July 31, 2018.

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

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

**1. *Town Manager***

- i. Appointment of Megan Tieman as Public Safety Dispatcher.

**2. *Selectmen***

- i. Wayfinder Project Committee

Motion by Mrs. Chase, seconded by Mr. Howarth, to appoint the following members to the Wayfinder Project Committee with term to expire June 30, 2019:

- ~Eleanor Vadenais-Wells Chamber
- ~Katy Kelly-Lafayette's Ocean Resort
- ~Jo-Ann Putnam-Chief of Police
- ~Jodine Adams-Code Enforcement Officer
- ~Jonathan Carter-Town Manager
- ~Nick Charov/Scott Richardson-Laudholm Trust
- ~Tim Roche-Selectmen Rep.

Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Howarth, to appoint Gene Sledzieski as a regular member to the Recreation Commission with term to expire April 2019. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Howarth, to appoint Delaney Gray as an alternate member to the Recreation Commission with term to expire April 2021. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Howarth, to re-appoint Francis Dudley as a member to the Harbor Advisory Committee with term to expire August 2021. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Howarth, to appoint Betsy DiCapua as a member to the Personnel Advisory Committee with term to expire July 2020. Passed unanimously.

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

- 1. \$73.00 from Susan Kanak to the Wells Public Library in honor of her parents' 73<sup>rd</sup> Wedding Anniversary.

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

- 2. \$30.00 from Nancy Flavin to the Wells Fire Department.

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

**h) *Discussion and action on approving minutes August 7, 2018 Selectmen's meeting.***

Motion by Mrs. Chase, seconded by Mr. Howarth, 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***

~Recreation Center: The new field looks great and the fence will be put up soon.

~Beach Update: It was a good year for the plover program. The lifeguards worked out very well.

~We have demolished the Gregoire property on Route 9B and cleaned up the site. We are working on some other properties in Town.

***3. Adjournment***

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

Respectfully submitted,

Accepted by,

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Cinndi Davidson,  
Meeting Recorder