

## ***SELECTMEN'S MEETING -TUESDAY, SEPTEMBER 4, 2018***

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

### ***5:00 PM Executive Sessions:***

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

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.

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

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.

### ***5:30 PM Workshops:***

#### ***1. Discussion on holding a Special Town Meeting with Proposed Warrant Article during the November 6, 2018 Ballot regarding Selectmen's authorization to select an alternate site for the Fire Substation.***

The goal is to finish the main building next summer, then demolish the existing buildings. In order to construct both buildings simultaneously we need to have the substation question on the November ballot. The warrant article would have to be signed tonight, then the Board can conduct public hearings. Funds for studying the alternate site have been released from the Inland Golf Fund. The consensus was to investigate the alternate site and let the Board choose the better location.

#### ***2. Discussion with WEMS on Budgetary Issues. Also present: WEMS Director Jim LaPolla and WEMS Board members.***

Staff salaries have been reviewed and are low for this area. The payroll would have to increase by about \$78,000 to be competitive. All the insurance plans have been cutting the reimbursements. Jim has discussed the low Medicare rates with Senator King's office. York and Cumberland Counties have been hit the hardest. WEMS' immediate need is \$46,000 for salaries, \$50,000 including benefits. Jon recommended using the Inland Golf Fund. The new ambulance will be paid for with \$180,000 from CIP and the \$23,000 recently approved.

With our aging population, many of the calls are for Medicare patients. WEMS also does public assists or lift assists, where someone has fallen and can't get up. Jim doesn't advocate charging for those calls. The call volume has increased by 165 calls over last year at this time. In addition, the medical needs are more complex and more equipment is needed for safer transport. Employees' training for credentialing is more sophisticated. Kathy asked about the typical cost of an ambulance call vs. the amount they are reimbursed. Jim discussed a case where they billed Medicare \$2,062 for transport to York Hospital and Medicare paid

\$461.34. WEMS could only bill the patient's estate \$117 as adjusted by Medicare, but there was no money in the estate to pay it.

**3. Discussion with Erik Boucher on holding a half marathon and 5K race in Wells on 8/24/19. Also present: Police Chief Jo-Ann Putnam.**

Erik is planning races for next summer to be held along the shore and partly on Route One in Wells and Ogunquit. He estimates 2,000 runners, 75% for the half marathon and 25% for the 5K. Runners would park at the schools and be shuttled to the starting line. After the race there would be a festival in the park with music, food and a beer garden. His company is for-profit and donations are given to non-profit organizations that provide volunteers.

Scheduling was discussed. The Chili Fest is the same day and the teams have their first scrimmage on August 24. Parking in the school lots may be challenging. The Harbor Park is available and Erik has already reserved it. Runners on Route One in August is a concern. Dan suggested that a route along the back roads would be safer. Erik said the runners like to run along the ocean. A June date was proposed to bring tourists to Wells before the season starts. Karl recommended another meeting with Jon, Jo-Ann and Erik to consider the date, roads, parking, etc.

**4. Discussion with Finance Director and Town Manager on 90 Day Foreclosure Process Outcome with the FY'16 Taxes. Also present: Finance Director Jodie Sanborn.**

The final extension expired on August 13 and 4 properties remain on the list. Payments were collected on 2 other accounts. Jodie is asking for approval to abate \$6,701.38 in tax revenue. Great job by Jodie and her staff in collecting the payments.

**5. Discussion on amending the Mass Gathering Application concerning events at the Harbor Park.**

This discussion was tabled.

**6. Review of the LED Street Light Project**

This discussion was tabled.

**7:00 p.m. – SELECTMEN'S MEETING**

**MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS**

**1. Public Hearing 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.**

Town Attorney Ben McCall was present to clarify the key points in the amendments. Once the Town abandons a road, ownership is split down the middle and is shared by the abutting landowners on each side. The changes affect Chapters 201 and 212. The easement to the Town allows members of the public to pass over the road by foot but not by motor vehicle. Gates can be put up as long as public safety vehicles and the property owners on the other side of the gate have access. §D.iv. allows the Town to spend money for maintenance such as patching potholes, etc. for safety if the majority of the landowners ask for it.

Public comment was solicited.

~How would a majority of the landowners be determined? Each owner could have one vote regardless of the acreage owned.

~Are the roads treated jointly or separately? Just the owners on a particular road would be involved in a decision. Every property owner beyond a particular gate would have access.

~If a gate is storm-damaged how would it be repaired? Since the gate was already approved, it would be an easy process to repair it. Mr. McCall will clarify the language that the Town can spend money for repairs. Mrs. Chase noted that if the Town approves the gate but not the funding, the Town could allow the property owners to repair or replace it. The Town should be notified if the property owners are taking care of it. The residents feel that they could probably repair any storm damage by welding the gate.

~What is the liability for the Town and landowners, for instance if a pedestrian is injured? The Town can spend money for road maintenance but isn't required to since the roads are abandoned. There should be signage "Pass at Your Own Risk."

Motion by Mrs. Chase, seconded by Mr. Roche, to continue the public hearing to the September 18 meeting while the Town Attorney modifies the language in the amendment. Passed unanimously.

**2. *Public Hearing on adjusting the Brush and Wood Fees charged at the Wells Transfer Station from 8 cents a lb. to 5 cents a lb.***

Members of the public have been complaining about the 8 cents rate. Our Finance Director has calculated the break even cost and recommends 5 cents a pound.

Public comment was solicited.

~The brush policy has been in effect for about one year. Most of the commercial landscapers are OK with 8 cents. When there is a major storm, people can bring brush for free to the Public Works Garage or the Transfer Station. There is also no charge when CMP does tree trimming and drops off the brush.

~The Transfer Station is a service for the residents. The brush fee used to be 3 cents then jumped to 8 cents. 5 cents is a good compromise.

~The Transfer Station is losing money now. If we lower the fee we will break even on brush. Will we have to raise the fees on other items to compensate?

~The public needs to be educated. There should be more recycling. People mix their loads; grass and leaves are free, brush isn't.

Finance Director Jodie Sanborn said that 5 cents just covers the commodity, in and out, it doesn't include salaries. The Transfer Station has been taken out of the enterprise fund. Transfer Station Manager Mark Webster would like to review the entire budget and fees at the Station.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing. Passed 5-0.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the fee reduction from 8 cents to 5 cents a lb. for brush and wood. Passed 4-0-1 with Mr. Ekstedt abstaining.

**3. *Wells Elks Lodge 2738, 356 Bald Hill Road, Wells, application for a full-time Malt, Vinous and Spirituous Liquor License. (R)***

**AND**

4. ***Wells Elks Lodge 2738, 356 Bald Hill 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 hearings and grant the license and permit. Passed unanimously.

5. ***Good News***

~Safewise, a nationwide organization, conducted a survey based on statistics and data. Each year they issue a list of the safest communities. In 2018, Wells received the award for the safest community in Maine. Congratulations to Chief Putnam, the patrol officers and detectives.

~Chief Putnam received a thank you letter regarding an incident at St. Mary's Church when a parishioner collapsed. The police assisted until WEMS arrived.

~The first football game of the season was Friday. Wells defeated Madison 32-0. The home opener will be this Friday against Cape Elizabeth. Next Friday is Homecoming.

6. ***Open to the Public***

~People have noticed that some of the flags on the poles are in disarray. Coach Roche and members of the football team put the flags up in the spring to honor our veterans. There are no resources to untangle the flags each day. The plan is to leave them up from Memorial Day until Veterans Day. Anyone who would like to contribute to the flag fund can send a check to the superintendent's office.

***CURRENT AGENDA ITEMS***

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

There is a Warrant dated September 4, 2018 with expenses of \$287,103.45 no school payment, net payroll for the week ending 8/23/18 in the amount of \$94,508.06, net payroll for the week ending 8/30/18 in the amount of \$88,421.60, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$74,617.15 for total expenses of \$544,650.26.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated September 4, 2018 in the amount of \$544,650.26. Passed unanimously.

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

a) ***Discussion and action on scheduling a Public Hearing to release up to \$14,000 from the Facility Maintenance and Repair Fund to install gates and Knox Boxes with signage on the abandoned Roads of Newhall, Green and Hill.***

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a public hearing on September 18, 2018 at 7 PM to release up to \$14,000 from the Facility Maintenance and Repair Fund to install gates and Knox boxes with signage on the abandoned roads of Newhall, Green and Hill.

Discussion: Mr. Howarth objected to the Town spending \$14,000 and said the property owners should contribute. Mr. Carter said that at the public hearing, the Board can vote "up to \$14,000." Mrs. Chase felt that the property owners should put up the gates at their expense, with the Town's permission because of the easement. Mr. Ekstedt said Board can vote on the amount after the public hearing.

Motion by Mr. Howarth, seconded by Mrs. Chase, to amend the first motion “to release up to \$5,000.” FOR: Mr. Howarth and Mrs. Chase. OPPOSED: Mr. Hobbs, Mr. Roche and Mr. Ekstedt. The motion to amend the first motion failed.

Discussion: Where did the \$14,000 figure come from? Mr. Carter spoke with the property owners about the cost of the gate they installed. His estimate of \$14,000 includes 4-5 gates with Knox boxes, signs, etc.

Motion by Mr. Roche, seconded by Mrs. Chase, to schedule a public hearing to release up to \$7,000 as a match with the property owners. Passed unanimously.

b) ***Discussion and action to certify the Referendum Article for the November 6, 2018 Ballot.***

The Board is considering an alternative site for the new fire substation. The residents have voted on the Route 109 site and it was bonded. If the Public Works property is preferable, it would be more efficient to construct the substation while the Public Safety Complex is being built. This item must be signed off tonight for the November Town Meeting ballot. The voters are being asked to allow the Selectmen to choose the preferable site for the substation.

Mr. Roche felt that the Town Garage site gives better coverage. Mrs. Chase said that by voting in November, we can save money on contractors and materials by building both projects at the same time. Mr. Howarth noted that if the Route 9 site is approved, we can sell the land on 109 and recoup part of the money.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Certification of Referendum Article for November 6, 2018 Special Town Meeting Ballot. Passed unanimously.

c) ***Discussion and action on signing the Special Town Meeting Warrant for the November 6, 2018 Ballot.***

Motion by Mrs. Chase, seconded by Mr. Roche, to recommend the Board of Selectmen be in favor of this warrant article. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the November 6, 2018 Special Town Meeting Warrant. Passed unanimously.

d) ***Discussion and action on setting public hearing dates on the Special Town Meeting Warrant article.***

Motion by Mrs. Chase, seconded by Mr. Roche, to set public hearings for September 18 and October 16, 2018 at 7 PM in the Littlefield Meeting Room at Town Hall, 208 Sanford Road. Passed unanimously.

e) ***Discussion and action to authorize the signing of the CMPCO Customer Owned Street Lighting Agreement.***

This item was tabled.

f) ***Discussion and action to approve a request for Tax Abatements.***

Finance Director Jodie Sanborn presented the list of travel trailers with delinquent taxes. They have been removed from Town and staff has been contacting the owners. She is requesting an abatement of \$6,701.38.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the request for tax abatements in the amount of \$6,701.38. Passed unanimously.

Thank you to Ms. Sanborn and her staff for a good job.

**g) Discussion and action on approving minutes August 21, 2018 Selectmen’s meeting.**

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the minutes as written. Passed 4-0-1 with Mr. Roche abstaining.

**NEW BUSINESS**

**1. Open to the Public**

Public comment was solicited and there was none.

**2. Town Manager’s Report:**

**1) Spectrum Channel 3 move**

Spectrum is changing Channel 3 to Channel 1301 on October 23. If you can’t get Channel 1301 they will give you a special convertor box to get higher channels. Spectrum is doing this to all the towns in this area. Mr. Carter has more information in his newsletter on the website. People can also call the company at 844-278-3409.

~On October 13 there will be a hazardous waste collection day from 8 AM -1 PM at the Kennebunk Transfer Station on Sea Road. Wells is participating with Kennebunk, Kennebunkport and Arundel. A list of the items that will be accepted is posted at our Transfer Station and in Mr. Carter’s newsletter.

~There are construction meetings every 2 weeks on the Public Safety Complex. The foundation is going in and the steel will be delivered in another 1-2 weeks to start the framing. There is a meeting with the landscape architect tomorrow to discuss landscape plans, irrigation and lighting.

**3. Executive Session: Discussion with Town Manager and Police Chief on a potential dispatching opportunity with another municipality per 1 M.R.S.A 405 (6)(C).**

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. Adjournment**

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

Respectfully submitted,

Accepted by,

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Cinndi Davidson,  
Meeting Recorder

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