

SELECTMEN'S MEETING – TUESDAY, SEPTEMBER 18, 2018

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

5:30 PM Executive Session:

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.

6:00 PM Workshops:

1. Discussion and action on HR and PAC Recommendations on two issues for BOS consideration.

Library Personnel Changes

The Library Director has asked to make some scheduling changes for several employees, and the PAC and Town Manager concur with his recommendation. The Coordinator of Patron Services will change her hours from full-time to part-time. Hours will be increased for the Adult Services Librarian, Library Cataloger and Library Assistant with adjustments to their benefits. The Library Director will take over supervisory duties on Mondays and Tuesdays now that the fundraising and construction of the new addition are complete.

Chapter 49 clarification amendment

Our labor attorney Matt Tarasevich recommended this amendment after a recent incident with an employee. The amendment makes it clear that temporary and seasonal employees are not entitled to benefits.

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

There have been problems with parking during special events at the Harbor Park. Changes to the application will include: 1) the applicant must take into account parking enforcement with the Boat Trailer parking lot; 2) when Harbor Park parking is limited because the entire Harbor Park is closed off, satellite parking and transportation is to be deployed with the provision of handicapped parking near the event entrance; and 3) before the event that utilizes the entire park, an Emergency Action Plan is to be developed with Public Safety Departments and the applicant which includes Harbor Road temporary parking restrictions.

3. Review of Police Vehicle Car Bid.

Two Ford 2019 Interceptors are in the FY'19 Budget. Three bids were received.

Vendor	Key Ford	Quirk	Yankee Ford
2 - 2019 Ford Utility Police Interceptors	\$57,800	\$58,388	\$58,127.36
Trade-Ins:			
2011 Ford Crown Vic	(2,450)	(2,500)	(2,000)
2013 Dodge Charger	(4,750)	(4,500)	(4,000)
Net Bid	\$50,600	\$51,388	\$52,127.36

4. Wayfinder Committee Update on Consultant Proposals.

The Wayfinder Committee reviewed 9 proposals from consultants and selected 4 to interview. Interviews were held on September 14th. A recommendation will be made at tonight's Selectmen's meeting.

7:00 p.m. – SELECTMEN'S MEETING

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. Public Hearing continuation 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 has refined the language of these amendments. The Town Charter specifies which ordinances the Selectmen can amend and which ones have to go to the voters. Changes to Chapter 201 have to go to Town Meeting, while the Selectmen can amend Chapter 212. Due to an oversight, some changes were proposed for Chapter 201. Attorney McCall has moved the changes from Chapter 201 into Chapter 212 for efficiency in expediting the changes. The word "majority" is being replaced with "sufficient number". A gate might affect landowners on any of the roads or all 3 of them. Once a gate is approved, by a sufficient number of the landowners, the Town will be able to repair it without going through the entire process again.

Mr. Howarth asked if the property owners can ride their ATV's. The prohibition is against non-property owners. Home owners and their guests are allowed. The owner will need to unlock the gate for his/her guests. Enforcement will be handled by the Wells Police Department.

Public comment was solicited.

~These roads date back to land grants in the 1600's and 1700's and now the Town has abandoned them.

Mr. Carter said this is being done at the request of the landowners. The Town is working with them to help them protect their property. There is an easement and the roads are still open to the public for walking. The gates are to keep out unauthorized vehicles.

~Mrs. Chase asked if it is in order for the Board to move the amendments from Chapter 201 to 212. Is the public being shut out of this decision? Mr. McCall said there was an oversight when the definitions were put in Chapter 201 and this is a minor change.

~There was a question about which roads this applies to and how many landowners are affected. The majority of the landowners were present at tonight's meeting. The roads are Newhall, Green and Hill. Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and amend Chapter 212. Passed unanimously.

2. ***Public Hearing to match and release up to \$7,000 from the Facility Maintenance and Repair Fund to install Gates and Knox Boxes with signage on the abandoned Roads of Newhall, Green and Hill.***

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and to match and release up to \$7,000. Passed unanimously.

3. ***Public Hearing on the Special Town Meeting warrant article.***

This article would give the Selectmen the authority to change the location of the Fire Substation from the Route 109 site to the Route 9 site if it would be less costly to construct, if the utility service is better and if Route 9 appears to be a better location. The Route 109 site would then be sold to recoup the funds. The decision should be made now because construction would be less expensive while the Public Safety Complex is under construction and the contractors are still on the job.

Public comment was solicited.

~Will the substation be staffed or just used to store trucks and equipment?

Mr. Carter said the voters have already approved moving the call company to the new substation. The building won't be staffed full-time, but will be available for personnel to use during storms and other emergencies.

~The building should be 5 miles from the current High Pine Station to be more centrally located for Wells Branch.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing . Passed unanimously.

4. ***Divine Cuisines LLC, dba: Tulsi North, 231 Post Road, 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.

5. ***Good News***

~Over 100 people attended the Volunteer Breakfast on September 11 at Johnson Hall. Hope Moody Shelley was honored as the Volunteer of the Year. Her brother Peter was present and accepted the award on her behalf. The Town is fortunate to have over 400 volunteers.

~The Recreation Department is looking for volunteer families for the October 20th Haunted Hayride. Families who used to participate stopped when their children went off to college.

~Mr. Roche announced the details of the Salute to the Armed Forces at the September 28th football game. Veterans should report to Warrior Field at 6 PM to check in. Kickoff is at 7PM. Last year over 50 veterans participated. The Patriot Riders and Brunswick Police Bagpipe and Drum Corps will attend. Howe & Howe Technology is bringing a wheelchair they are donating to a veteran. Any veteran who would like to be honored at the game should contact the high school.

6. *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 September 18, 2018 with expenses of \$636,530.33, school payment of \$1,652,752.00, net payroll for the week ending 9/6/18 in the amount of \$90,423.02, net payroll for the week ending 9/13/18 in the amount of \$79,457.72, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$69,522.76 for total expenses of \$2,528,685.83.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated September 18, 2018 in the amount of \$2,528,685.83. Passed unanimously.

There is a General Assistance Warrant dated September 18, 2018 in the amount of \$626.47.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated September 18, 2018 in the amount of \$626.47. Passed unanimously.

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

a) *Discussion and action on setting a public hearing date to release \$50,000 from the Inland Golf Reserve Fund (0713) for an additional grant to WEMS in FY'19.*

WEMS is having cash flow issues with low reimbursements from Medicare and insurance companies. This fund was set up based on a court order that for each house lot sold at the Old Marsh Golf Club Subdivision, \$15,000 goes into an account for projects that impact the community.

Motion by Mrs. Chase, seconded by Mr. Roche, to set a public hearing for October 2, 2018 at 7 PM in the Littlefield Meeting Room at Town Hall, 208 Sanford Road, for the purpose of releasing \$50,000 from the Inland Golf Reserve Fund (0713) for an additional grant to WEMS in FY'19. Passed unanimously.

b) ***Discussion and action on setting a public hearing date to amend Chapter 49 - Personnel Ordinance to clarify section 49-13, Eligibility for Benefits.***

The PAC and Labor Attorney are recommending this amendment to the ordinance to clarify eligibility.

Motion by Mrs. Chase, seconded by Mr. Roche, to set a public hearing to amend Chapter 49, Section 13, on Eligibility of Benefits of the Code of the Town of Wells for October 2, 2018 at 7 PM in the Littlefield Meeting Room at Town Hall, 208 Sanford Road. Passed unanimously.

c) ***Discussion and action on awarding the Police Vehicle Bid.***

The vehicle bid for two Ford Utility Police Interceptors was discussed at an earlier workshop. Key Ford was the low bidder at \$50,600 for two vehicles with trade-ins.

Motion by Mrs. Chase, seconded by Mr. Roche, to award the bid for two Ford 2019 Police Interceptor Vehicles to Key Ford. Passed unanimously.

d) ***Discussion and action on allowing Project Graduation to collect Bottles and Cans at the Transfer Station using Hannaford Clynk recycling as a fundraiser.***

The students would like to bring Clynk bags to the Transfer Station to collect residents' recyclables. There will be people at the Transfer Station coordinating the collection.

Motion by Mrs. Chase, seconded by Mr. Roche, to authorize Project Graduation to collect bottles and cans at the Transfer Station using Hannaford Clynk recycling as a fund raiser. Passed unanimously.

e) ***Discussion and action on awarding the Wayfinder Consultant contract.***

The Wayfinder Committee recommends using Favermann Design from Boston to clarify our signage in the community and direct people to local attractions such as the beach. Favermann has contracted with Massachusetts on a number of projects for communities that apply for grants.

Motion by Mrs. Chase, seconded by Mr. Roche, to award the Wayfinder Consultant contract to Favermann Design for the amount of \$30,000. Passed unanimously.

f) ***Discussion and action to approve Amendments to Appendices A-D to the General Assistance Maximums for 2018-2019, in compliance with the State Model General Assistance Ordinance.***

This is an annual requirement for towns that provide General Assistance. We adopt the Model Ordinance developed by the State. The appendices contain formulas for heating, housing, food, utilities, etc.

Motion by Mrs. Chase, seconded by Mr. Roche, to amend Appendices A-D to the General Assistance Maximums for 2018-2019 in compliance with State Model General Assistance Ordinance. Passed unanimously.

g) ***Central Maine Power Company Application for Pole Location Permit for 6 poles to be located 1,200 feet Southeasterly starting at Pole #H on Willow Way.***

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the Pole Location Permit request. Passed unanimously.

h) ***Northern New England Telephone Operations LLC and Central Maine Power Company, Application for Pole Location Permit for one pole to be located on Main Street, 76 feet Southwesterly of Central Avenue.***

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the Pole Location Permit request. Passed unanimously.

i) ***Northern New England Telephone Operations LLC and Central Maine Power Company, Application for Pole Location Permit for one pole to be located on Mile Road, 62 feet Westerly of Merrifield Court.***

Motion by Mrs. Chase, seconded by Mr. Roche, to approve the Pole Location Permit request. Passed unanimously.

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

1. Town Manager:

Brian Harris has been appointed as the new PWD Equipment Operator.

2. Selectmen

a) Appointment of _____(primary) and _____(secondary) as the official Town Delegates to the MMA Business Meeting held during their October Convention.

Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Jonathan Carter as primary and secondary official Town Delegate to the MMA Business Meeting at their October Convention. Passed unanimously.

a) ***Library changes as recommended by PAC and Town Manager to the Coordinator of Patron Services from full-time to part-time and increasing hours to the Adult Services Librarian, Library Cataloger and Library Assistant positions to make up the difference in time with adjustments to benefit levels according to the Personnel Ordinance. The decreased hours and benefit cost from the Coordinator of Patron Services will be a wash when hours and benefits are added to the three other positions.***

Motion by Mrs. Chase, seconded by Mr. Roche, to follow the recommendations of the Personnel Advisory Committee regarding the changes requested by the Library Director in his memo to PAC regarding decreasing the status of the Coordinator of Patron Services from full-time to part-time and to reallocate those hours by increasing the hours and benefit levels of the Adult Services Librarian, Library Cataloger and Library Assistant to full-time 40 hours. Passed unanimously.

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

1. ***\$5,000 from Kennebunk Savings Bank to the Wells Police Department for the purchase of equipment for Rape Aggressive Defense (R.A.D.) class.***

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. ***\$28.00 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. ***\$3,000 from Friends Supporting the Wells Public Library to the Wells Public Library.***

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

- 1) ***Discussion and action on approving minutes of the September 4, 2018 Selectmen’s meeting***

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the September 4, 2018 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***

~Our cable access channel is changing from Channel 3 to Channel 1301 in late October. Spectrum will supply any equipment needed to boost your service up to that channel. The equipment is available at their office in Moody.

~The Household Hazardous Waste Day will be held October 13 from 8 AM-1 PM at the Kennebunk Transfer Station on Sea Road. Bring ID to show that you are a Wells resident. Some of our Transfer Station employees will be there to assist. A list of items to bring and what not to bring will be on the Town web site.

~NNERPA is working off their Capital CIP program and coming to Wells to design an additional platform on the southerly side of the tracks. There will be dual platforms for the Downeaster. We own the land on that side, which means a Town Meeting vote is needed if the Selectmen approve it. There will be an overhead walkway and elevator for handicap accessibility.

3. ***Adjournment***

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder
