

SELECTMEN'S MEETING - TUESDAY, JANUARY 18, 2022

5:00 PM – JOINT WORKSHOP WITH PLANNING BOARD ON CLUSTER SUBDIVISIONS

Also present: Planning Board Chairman Chuck Millian, Members Brian Toomey, Richard DeBold, Town Planner/Engineer Mike Livingston.

1. Minimum lot size: The minimum lot size is 20,000 SF if not served by public sewer. The proposal is 40,000 if not served by public sewer and 30,000 if served by public sewer. Lots with public water and sewer have a 10,000 SF minimum. The state minimum is 20,000 SF with a well and septic. Increasing the lot size may decrease the number of units.

Cluster subdivisions are desirable for preservation of open space and animal habitat. Roads are reduced so there is less impervious surface. Clusters are required in the Rural Zone.

The Selectmen support lot expansion. The proposal was 40,000 SF in the R Zone and 30,000 SF in the RA Zone. Development in Aquifer Protection areas is prohibited but that land can be included in density calculations.

2. Density calculation: The current requirement is a 15% deduction for roads in a cluster subdivision. An increase to 25% for roads and unsuitable land is proposed. The Selectmen felt that 25% is too high.

3. and 4. Street frontage and Buffers: Cluster lots could be prohibited from accessing Town streets or using street frontage on Town streets. An alternative is to allow street frontage but increase the minimum to 150 or 200 ft. Thicker vegetation along Town roads could be required to provide a visual screen.

5. Multi-family/condominiums: Development standards should match the cluster standards.

6. Density bonuses: Density needs to be clarified when part of the project is in AP.

Active applications were discussed. Several sketch plans are on hold because of snow on the ground. Plans are considered vested after the application is found complete (i.e. after the site walk) and after the first public hearing has been held. The applications that have received preliminary approval are grandfathered.

Action: Mr. Livingston will write up the proposals for the Planning Board and Selectmen to conduct public hearings. Comments will be sought from developers and members of the public. The BOS will hold a workshop with the Planning Board on February 1 and a public hearing on February 15.

5:50 PM – INTERVIEWS FOR VARIOUS BOARDS AND COMMITTEES

6:00 PM – SELECTMEN'S MEETING

Present: Chairman Sean Roche, Selectmen Kathy Chase, John MacLeod, Tim Roche, Bob Foley, Town Manager Larissa Crockett, Meeting Recorder Cinndi Davidson.

SPECIAL PRESENTATION – WO Historical Society Annual Funding Request

Bryce Waldrop, Director of the Historical Society, discussed their mission and recent activities. The insulation and most of the heat pumps have been installed for a considerable savings. The budget consists of operating funds and project funds. The operating funds request is for \$23,000. The project funds request is to complete the heat pump installation. Funding is shared by both towns. The request is 2/3 from Wells (\$28,000) and 1/3 from Ogunquit (\$14,000).

MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS***1. Troiano Waste Services Inc., dba: Troiano Waste Services, 10 Filmike Way, So. Portland, application for a Solid Waste Disposal License. (R)***

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to close the public hearing and grant the license. Passed unanimously.

2. Waste Management of Maine, dba: Waste Management of Maine, 2000 Forest Ave., Portland, application for a Solid Waste Disposal License. (R)

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to close the public hearing and grant the license. Passed unanimously.

3. Good News

~Thank you to Wells PD from several grateful citizens. A car stolen in Connecticut was recovered in Wells along with family's personal property. Police also assisted a couple with repossessing a vehicle.

~Thank you to the Public Works Department, Police, Fire and Harbor Master for a great job dealing with yesterday's storm.

4. Open to the Public

Topics included:

~ YCCA's plan to place clients in Wells, the impact on the community and our resources. The GA policy is in Chapter 120.

~Executive Sessions re: dissolving the HR Department

~Notifying residents and business owners who are away about recent property crimes. House checks at the beach. Hold a public forum in town about safety.

~Continuing meetings on ZOOM and Face Book during the pandemic.

~Hiring policy, posting positions in public, not just internally. The HR consultant and Comprehensive Plan consultant positions were not advertised.

~FOI requests for information from Wells PD and WEMS haven't been provided.

~Why is there an increase in break-ins?

CURRENT AGENDA ITEMS

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

Motion by Mrs. Chase, seconded by Mr. MacLeod, to approve and sign the Accounts Payable Warrant dated January 18, 2022 in the amount of \$ 2,553,653.82 and the General Assistance Warrant dated January 18, 2022 in the amount of \$5,826.08. Passed unanimously.

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

a) *Conversation with Sheriff King regarding recent increase in crime in Wells.*

The jail capacity is 296 and the sheriff is trying to keep the number down during the pandemic. With the intake modification policy, people aren't usually held for property crimes. The usual reasons for holding people include outstanding warrants, domestic violence and other major issues. The sheriff's department does not refuse calls from police departments when someone is causing public alarm.

Sheriff King addressed questions that were previously submitted. He currently has 7 staff members on quarantine. The back log of cases in the DA's office has nothing to do with the number of intakes at the jail. Bail is set by bail commissioners who are hired by the courts. Once someone is brought in and booked, the bail commissioner is contacted. There are no bail conditions if someone is issued a summons. If someone is arrested and released on bail, there are conditions of release. The police, the jail and the DA work together on public safety. Several "major offenders" have been arrested for home break-ins, which solved a number of crimes in the community.

Chief Putnam addressed questions submitted by the public. The people they arrested for recent crimes are locals. There is a need for more bail commissioners and jail staff. Revoking licenses for repeat OUI's is done by the courts according to state statute. It isn't up to the local police. Residents were encouraged to meet with the PD and set up neighborhood watch groups. "Disagreements" do not necessarily involve a crime, but they do require police time and effort. The Selectmen feel that we are blessed with an excellent police department. Mr. Foley said that communications from the PD give the residents accurate information and help to stop the rumors.

Questions about GA and Emergency Rental Assistance were addressed. The questions and responses will be available on our web site. This meeting is on Face Book, YouTube and Town Hall Streams. ERA was created to deal with housing challenges. Funds from the US Treasury flow to Maine Housing and are distributed to county agencies to pay the landlords. ERA eligibility is based on income and applicants are not screened for substance abuse or mental health issues. There are no requests for additional police officers at this time. Landlords are not required to tolerate disruptive or illegal behavior by any guest and can remove the person. Town Attorney Leah Rachin has advised that a prior criminal conviction doesn't relate to GA or emergency lodging. A fugitive

from justice in another state or someone who has committed fraud to receive benefits is ineligible to receive them. GA is a state program and towns cannot opt out. The hotels where people are placed are chosen by YCCA. Our ordinance has a 28 day stay rule. After 28 days, the person is shifted to another facility. We cannot prohibit children from attending school if they are residing here.

Mr. T. Roche asked about the recent crimes in Wells. Chief Putnam said one of the individuals was “couch surfing”. Several people are now in jail for a lengthy stay. She has been meeting with motel owners and managers. If someone has to be removed from a facility they aren’t allowed back. Despite rumors, we are not receiving “busloads” of people. Donations to the We Are Wells Fund stay in Town; they aren’t used for GA or ERA. GA is based on the income, assets and number of people in the household. The State reimburses us 70% of what we spend for GA. The fuel fund provides residents with propane, kerosene or heating oil if they don’t qualify for other assistance. We Are Wells helps people with certain needs that don’t meet the standards for other programs.

There was a question about the regulations for lodging facilities. Town Planner/Engineer Mike Livingston said there are different rules for different types of facilities. Some places have seasonal closures. It depends on the type of facility and what rules were in place when it was originally licensed.

b) Discussion and action on Engineering Services Award.

We received 15 responses to our RFP for engineering services. The review panel consisted of Carol Murray, Mike Livingston, Jodie Sanborn and a representative from Wells Reserve. There was a unanimous recommendation for 3 firms to provide on call engineering services: CMA Engineering, Dubois & King and Walsh Engineering. They are not charging us a fee for being on call. We have a number of infrastructure projects pending and this will expedite the process. The Newhall Bridge project is underway and the Webhannet seawall needs attention soon. Any projects that have already been awarded will stay with those firms.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to authorize the Town Manager to contract for on call engineering services with CMA Engineering, Dubois & King and Walsh Engineering. Passed unanimously.

c) Discussion and action to schedule a public hearing on eliminating sprinkler requirement from marijuana production facilities

Mr. MacLeod recused himself because of a previous interest in an adjacent property.

Motion by Mrs. Chase, seconded by Mr. Foley, to schedule a public hearing for 6 PM on February 1, 2022 in the Littlefield Meeting Room, 208 Sanford Road, Wells to discuss the proposed ordinance change. Passed 4-0-1 with Mr. MacLeod abstaining.

d) Discussion and possible action on “FINDINGS OF AN OBJECTIVE STUDY OF A PROPOSED ORDINANCE TO ABOLISH THE HUMAN RESOURCES DEPARTMENT FOR THE TOWN OF WELLS” study by Michael Cunniff.

There was a memo summarizing the Cunniff report in tonight’s packets, and the Board authorized Ms. Crockett to make the entire report public.

Option #1 Eliminate the HR Director position and outsource high-level HR services. The previously funded HR Coordinator/ Communications Coordinator position would become an HR Generalist and the GA Administrator. The Volunteer Coordinator, Parks & Recreation personnel and other employees will manage the workforce.

Option #2 Retain the HR Director position with the other changes outlined above.

The PAC has a tentative meeting scheduled for February 11 to work on an RFP for high-level HR services, based on tonight’s vote. The Board’s consensus was to select option #1, eliminate the HR Department and merge its functions with Finance. Town Attorney Leah Rachin advised that if the Board chooses option #1, they should vote Yes on the motion that was tabled in November. Mr. MacLeod asked for a 6 month/1 year review of how the changes are working.

Motion by Mrs. Chase, seconded by Mr. MacLeod,

- 1) To approve an “Ordinance to Abolish the Human Resources Department Pursuant to Section 2.06(5) of the Town Charter and to Amend Provisions of Chapter 49 (Personnel Policies) of the Town Accordingly.”
- 2) To authorize the Town Manager to issue an RFP for outsourced high-level HR services,
- 3) To post the HR Generalist/GA Administrator position, and
- 4) To conduct 6 and 12 month reviews of the changes outlined above.

The motion passed unanimously.

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

1. Resignations of Richard Seiden from the Planning Board and Joe Hardy from the Energy Committee
2. Retirements of Cindy Adamsky and Elaine Finch
3. Resignations of Ralph Boston, Marcella Faucher, and Allen Wilson

Motion by Mrs. Chase, seconded by Mr. MacLeod, to accept the resignations and retirements. Passed unanimously.

f) Discussion and action on approving minutes of the January 4, 2022 Selectmen’s meeting.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to approve the January 4, 2022 Selectmen’s meeting minutes. Passed unanimously.

NEW BUSINESS***1. Open to the Public***

~There was a request for a balance of power and better communication among the Town Manager, BOS, HR Department, employees and the public.

~Chief Putnam gave an update on an incident Sunday. Our officer did a car stop and allowed the K-9 to sniff the car. The dog was later in distress and was rushed to the emergency veterinary clinic in Portsmouth where the canine dose of Narcan was administered. Fortunately the dog recovered, but we could have had a tragedy.

If you know there are drugs in the car, be up front about it with the officer. The dog will find them, and don't put the dog's life in danger. There have also been incidents where police officers absorbed drugs through their skin while searching vehicles.

2. Town Manager's Report

~Foreclosure notices go out at the end of January. People have time to come in and work with staff to avoid foreclosure.

~AARP is doing income tax assistance at the Library on Tuesdays. More information will be on the Library website.

~January 31 is the deadline to license dogs and avoid a \$25 fine. The license fee is set by State statute and the funds support animal welfare.

3. EXECUTIVE SESSION: To discuss the applicants to various committees, pursuant to 1 M.R.S. § 405(6)(A).

Motion by Mrs. Chase, seconded by Mr. MacLeod, to go into Executive Session to discuss the applicants to various committees, pursuant to 1 M.R.S. § 405(6)(A). Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to come out of Executive Session. Passed unanimously.

4. Appointment of members to various committees.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to appoint Emma Malitsky and Bryanna Welch to the Dog Park Committee. Passed unanimously.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to not appoint Marisa Caputo to the Waste Management Advisory Committee. Passed unanimously.

5. *Adjournment*

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

Respectfully submitted,

Accepted by,



Three handwritten signatures are stacked vertically. The middle signature is clearly legible as "Stephen D Chase". The other two signatures are more stylized and difficult to read.



A handwritten signature in blue ink that reads "Cindi Davidson".

Cindi Davidson,
Meeting Recorder

