

## SELECTMEN'S MEETING - TUESDAY, MARCH 1, 2022

### **5:00 PM – SELECTMEN'S MEETING**

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

### **INTERVIEWS FOR VARIOUS BOARDS AND COMMITTEES**

- Linda Grenfell as alternate member, Conservation Commission
- Owen Grumbling as regular member, Conservation Commission
- Kenneth Lowell as regular member, Shellfish Conservation Commission
- Maynard Bridges as regular member, Shellfish Conservation Commission

### **1. 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.

### **MUNICIPAL OFFICERS WORKSHOP / BUSINESS / PUBLIC HEARINGS**

#### **1. Public Hearing on Cluster Subdivision Ordinance amendments.**

Town Planner/Engineer Mike Livingston reviewed the proposed changes:

- ~Minimum lot size in the Rural District. Increase from 20,000 SF to 40,000 SF if not served by public sewer. Increase to 30,000 in RA and RC if not served by public sewer.
- ~Increase the minimum town street frontage to 150 ft. in the Rural District. The 150 ft. refers only to town roads. Frontage on private roads in the development can go down to 50 ft.
- ~Buffering along town streets. Require a setback and vegetated buffer which is twice the required street setback except at driveways and utility connections.
- ~Match the standards for multi-Family developments with the cluster requirements.
- ~Clarify density when part of the project is in the AP District. No development permitted in the AP portion.
- ~Eliminate specific map references in the Comp Plan. The numbers will be different in the update.
- ~Vested rights in applications. Allow a pre-application submitted before April 1, 2022 to be grandfathered.

Public comments were solicited.

- ~Protect natural resources and aquifers, maintain open space and animal habitat.
- ~Larger lots take away from open space and require more infrastructure at more cost to the home buyers. Some recent developments take away from the Town's rural feel.
- ~Locate the clusters at the ends of dead end roads and use buffering along the main roads.
- ~More residents should take an interest in the Comprehensive Plan updating. The design firm is producing some important information.

~Construction trucks are a hazard for walkers, runners, horseback riders. Development pressures are pushing wild animals into residents' yards.

~Development in rural areas means more wells and endangers the water supply.

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

The Board considered continuing the discussion on March 15 vs. moving this item forward now and letting the voters decide. The Board has until April 5 to decide on items for the June ballot. No action was taken tonight.

## **2. *Public Hearing on the 2022 Beach Parking Pass Policy.***

Proposed changes:

~A vehicle registered in the name of a veteran's spouse is entitled to the veteran's \$20 fee.

~Rates for all lots increasing from \$4 to \$5 an hour.

~Parking will be free after 6 PM when dogs are allowed on the beaches.

In section 2 of the policy, the police lock the beach lots at 11 PM. Mr. T. Roche said this makes it difficult for the lobstermen who go out early, and people who like to watch the sunrise at the harbor. This sentence can be changed to match the ordinance language that the lots are closed from 11 PM – 6 AM.

There were no public comments.

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

Motion by Mrs. Chase, seconded by Mr. MacLeod to approve the 2022 Beach Parking Pass Policy as amended. Passed unanimously.

## **3. *Public Hearing on release of funds for Aerials.***

Mr. Livingston said our last aerials were done in 2016 and we like to have updates every 5 years. The State's contract with the provider expires at the end of this year, and the renewal price is expected to increase. This is a good opportunity for us to obtain updated data.

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to close the public hearing and approve release of funds for aerial updates. Passed unanimously.

## **4. *Public Hearing on release of Library Beautification Funds for painting the staff work area.***

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to close the public hearing and approve the release of funds from the Library Beautification Fund in the amount of \$3,100.00 for painting the staff work area. Passed unanimously

**5. *Public Hearing on release of funds for rental of two ballot processing machines.***

This authorizes the release of approximately \$4,290 for the machines to accommodate an increasing number of voters.

There were no public comments.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to close the public hearing and approve the release of funds for rental of two ballot processing machines in the amount of \$4,290. Passed unanimously.

**6. *Tudisco Corporation, dba: The Bull n Claw Restaurant, 2270 Post Road, Wells, application for a full-time Malt, Wine and Spirits Liquor 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.

**7. *Town Manager's report***

**8. *Open to the Public***

Postponed to the end of the meeting due to the time constraints.

***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 March 1, 2022 in the amount of \$647,195.42, and the General Assistance Warrant dated March 1, 2022 in the amount of \$1,774.03. Passed unanimously.

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

**a) *Discussion and possible action to schedule a public hearing on an easement for the Sanitary District.***

Nick Rico of the Sanitary District requests an easement from the Drakes Island pump station to an existing sewer manhole in the Eastern Shore parking lot to replace the existing sewer force main. The construction is proposed for Fall 2022 and Town Meeting approval in June is necessary.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to schedule a public hearing on an easement for the Sanitary District for March 15, 2022 at 6 PM, in the Littlefield Meeting Room, 208 Sanford Road. Passed unanimously.

b) ***FY21 Audit Presentation***

Mr. Bill Hall presented his annual report and complimented the Town for our staff, financial software and fund balances. We have been spending our money on good projects to benefit the Town. This is the last year with the Transfer Station deficit.

c) ***Discussion and possible action on the 2022 Beach Management Agreement.***

We sign this agreement every 3 years to protect the piping plovers and their nesting areas. Compliance with the agreement exempts us from additional regulations to protect the birds. If early nesting is successful, the chicks will fledge by mid-June to early July before the peak summer season, and the beach restrictions can be removed.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to accept the 2022 Beach Management Agreement and authorize the Town Manager to sign it. Passed unanimously.:

d) ***Discussion and possible action on Nautilus Solar reduction of Lease Area.***

Nautilus Solar leases the solar field property on Crediford Road. They have proposed a reduction of the lease area to the limits of their fence line. Trees have been cleared beyond the fence. Town Attorney Leah Rachin has reviewed the revised documents.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to accept the reduction of the lease area and authorize the Town Manager to sign the documents. Passed unanimously.

e) ***Discussion of new rule governing ARPA funds.***

The interim rule gave us 4 choices for the funds: broadband, subsurface stormwater, public water supply and public sewers. The federal rule change now includes losses due to COVID. Any government service is now an eligible expense. A hybrid of the Water and Sanitary District projects and the seawall repairs seems to be the most advisable.

f) ***Discussion and possible action to award the Executive Human Resources contract.***

An RFP was sent out for executive level services and we received three replies. The recommendation is to award the contract to HR Maine Consulting at \$90 per hour. This will be a three-year contract with an option to renew, and we can terminate the contract if it isn't working out. Staff will be surveyed at 6 months and one year. We have also hired a full-time HR generalist.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to award the contract to HR Maine Consulting and authorize the Town Manager to sign it. Passed unanimously.

g) ***Discussion and possible action to schedule a public hearing on Charter changes.***

Two changes are proposed:

~Allow the Board of Selectmen to carry forward funds that have been appropriated but not expended, provided they are used for the same purpose as originally appropriated.

~Change from an elected Town Clerk to an appointed Town Clerk. Our current clerk is elected and she appoints her staff. Her term runs through June 2023. Town Attorney Leah Rachin said that the trend in Maine is to switch from elected to appointed clerks.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to schedule public hearings at 6 PM on March 15, 2022 in the Littlefield Meeting Room, 208 Sanford Road, to consider carrying forward unexpended funds and to consider converting the Town Clerk position to an appointed position. Passed unanimously.

**h) *Discussion and possible action to schedule a public hearing on a conveyance of a portion of Town land on map and lot 34-5E in exchange for an easement over a section of private property at map and lot 34-5 on Ridgetop Ln.***

Water is funneled from Pine Ledge Drive and Robinson Road to a catch basin and drainage pipe. The retention pond abuts a residential property and could possibly overflow. The property owner is concerned about flooding his pond and basement. A small buffer area could protect his property, in exchange for an easement to the Town. The easement has to go to Town Meeting, and DEP won't issue a permit until all the easements are in place. Mr. MacLeod asked for a provision in the deed that the property owner will not use the easement to create a driveway to his back lot.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to schedule a public hearing at 6 PM on March 15, 2022 in the Littlefield Meeting Room, 208 Sanford Road, on a conveyance of a portion of Town land on map and lot 34-5E in exchange for an easement over a section of private property at map and lot 34-5 on Ridgetop Ln. Passed unanimously.

**i) *Discussion and possible action on tax abatements.***

Finance Director Jodie Sanborn presented a list of taxes due on travel trailers that are no longer in Town. She is requesting tax abatements totaling \$1,688.27.

Motion by Mrs. Chase, seconded by Mr. MacLeod, to approve the tax abatements as presented by the Finance Director. Passed unanimously.

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

- i. Resignation of Susan Finnell from Budget Review Committee
- ii. Resignation of Karen Hludik from the Dog Park Committee
- iii. Resignation of Steve Koeninger from the Comprehensive Plan Update Committee

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

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

- 1. \$30.00 from Various Library Users to the Wells Public Library.
- 2. \$10,000.00 from the Wells Beach Hose Company to the Town of Wells for the Fuel Assistance Program Fund.

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

1) ***Discussion and action on approving minutes of the February 15, 2022 Selectmen’s meeting.***

Motion by Mrs. Chase, seconded by Mr. MacLeod, to approve the February 15, 2022 Selectmen’s meeting minutes. Passed 4-0-1 with Mr. T. Roche abstaining.

***NEW BUSINESS***

***1. Appointment of members to various committees.***

Motion by Mrs. Chase, seconded by Mr. MacLeod, to appoint Linda Grenfell and Owen Grumbling to the Conservation Commission and Kenneth Lowell and Maynard Bridges to the Shellfish Conservation Commission. Passed unanimously.

***2. Adjournment***

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

Respectfully submitted,

Accepted by,

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Cinndi Davidson,  
Meeting Recorder