

SELECTMEN'S MEETING - TUESDAY, MARCH 19, 2019

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

5:00 PM MEETINGS AND WORKSHOPS:

1. Joint Budget Reconciliation Meeting with Budget Review Committee and Public Works Director Carol Murray.

There was a lengthy discussion of the requested paving budget and the condition of our roads based on the consultant's PCI study. We are at a PCI of 75 with a \$1 million budget and the Committee recommends the same amount. Most of our roads are good to excellent, with only a few that are very poor. One problem is that large trucks use back roads for shortcuts, and the Committee feels they should be required to stay on the main roads.

The warrant articles were individually reviewed and voted on:

Article 3. Estimated Revenues \$4,741,192

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. DeBold, seconded by Mr. Markgren, in favor. Passed 7-0.

Article 4. Pass Through Accounts \$852,500

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. Markgren, seconded by Mr. DeBold, in favor. Passed 7-0.

Article 5. Salaries \$6,721,356

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. Toomey, seconded by Mr. DeBold, in favor. Passed 7-0.

Article 6. Operations \$7,781,359

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. DeBold, seconded by Mr. Wade, in favor. Passed 7-0.

Article 7. Potential Employee-Related Expenses \$60,000

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. Gaylord, seconded by Ms. Caputo, in favor. Passed 7-0.

Article 8. Potential Town Liabilities \$295,000

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. DeBold, seconded by Mr. Markgren, in favor. Passed 7-0.

Article 9. Capital Improvement Plan \$3,246,786

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. Markgren, seconded by Mr. Wade, in favor. Passed 7-0.

Article 10. Capital Expenditures \$3,346,700

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. DeBold, seconded by Mr. Toomey, in favor. Passed 7-0.

Article 11. Expenditures From Specific CIP Reserve Accounts in Emergencies

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. DeBold, seconded by Mr. Gaylord, in favor. Passed 7-0.

Article 12. General Assistance \$60,000

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. Markgren, seconded by Ms. Caputo, in favor. Passed 7-0.

Article 13. Town Clerk Compensation \$67,944

Motion by Mrs. Chase, seconded by Mr. Roche, in favor. Passed 5-0.

Motion by Mr. Toomey, seconded by Mr. DeBold, in favor. Passed 7-0.

Article 14. Daytime Full-Time Firefighter \$51,048

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. Markgren, seconded by Mr. Toomey, in favor. Passed 5-2.

Article 15. Authorization to Sell Municipal Land

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Motion by Mr. Toomey, seconded by Mr. DeBold, in favor. Passed 7-0.

Article 16. Lease of Town Property for Solar Facilities

Motion by Mrs. Chase, seconded by Mr. Hobbs, in favor. Passed 5-0.

Mrs. Chase complimented the Budget Committee for their hard work, thoroughness and concern for the Town.

There will be a joint public hearing on the budget on Tuesday, April 2.

2. Interview for Budget Committee Appointment - Robert Mulcahy

3. Workshop #1 – Update on Abatements and Foreclosures. Also present: Finance Director Jodie Sanborn

One account has been paid in full for 2017 and 2018. There are 11 properties with outstanding amounts due. Progress has been made on 3 of those accounts.

Jodie enclosed a Personal Property Clean-up list and recommends abating \$31,613.38. The Town Attorney recommends filing legal claims for \$39,594.52. Most towns use small claims court.

4. Workshop #2 – Review of the Telephone Proposal process undertaken to lease a hosted VOIP system with consultant with recommendation. Also present: Fire Chief Wayne Vetre and Police Chief JoAnn Putnam.

Public Safety has the greatest need for an effective VOIP system. BayRing Communications used to give us good service until they underwent several mergers. Marc Saulnier of Diverse Networks reviewed our needs and the proposals received. The recommendation from staff is to accept the proposal from GWI:

GWI at \$127,342

Consolidated Communications at \$147,146.50

Beth McCarthy of Consolidated Communications discussed work the company has done for the Town, including fiber to Willie Hill Road and Town Hall. She stressed the importance of quality for public safety and rapid responses to outages. She felt that both companies offer similar services, and that Consolidated's customer support is outstanding.

5. *Workshop #3 – Review of the 2019 DEP Pump out Grant awarded to the Harbor facility.*

Our former Harbormaster applied for the grant which was issued in March for \$32,000. The system should be ready in time for the boating season. The Harbor Advisory Committee will be meeting with the new Harbormaster on March 28.

6. *Fire and EMS Calls: Also present Fire Chief Wayne Vetre, Police Chief Jo-Ann Putnam, WEMS Director Jim LaPolla.*

A table summarizing the types of calls was reviewed. Jim is going to review the number of times the Fire Department goes on medical calls. There are several calls per day and more in the summer. Wayne said a major issue for all the services is the number of back to back calls, and sometimes all departments have to work together on an event. Tim asked if we should increase WEMS staffing rather than the Fire Department. Karl asked the chiefs to review the numbers and be sure we have the right coverage for the types of calls they receive.

7. Kathy gave an update on the situation along the Webhannet River. The resident still has people trespassing and partying on her property and has to clean up a lot of trash. Jon and Jo-Ann recommended game cameras. A trash barrel was considered but the area is carry in carry out. The bridge is scheduled for maintenance next year and much of the brush may be removed then.

7:00 PM – SELECTMEN'S MEETING

Special Presentation – Planning Board Member Departing Ceremony - Pierce Cole

Selectman Roche presented a plaque to Mr. Cole in recognition of his contributions to the Board.

MUNICIPAL OFFICERS BUSINESS / PUBLIC HEARINGS

1. ***Public hearing on the Memorandum of Understanding (MOU) with Walden Renewables Development LLC regarding their right to investigate on town owned parcels the feasibility, pending Town Meeting approval, for the Board of Selectmen to lease land for the development of utility grade solar array project(s). Also present: Town Attorney Leah Rachin and Jack Kenworthy of Walden Renewables.***

The MOU would allow Walden to investigate the possible sites. If they recommend solar array projects there, the question would go to Town Meeting. A zoning change is required for solar projects. There would be a 30 year lease with 2 5-year renewals. Lease payments to the Town would begin when the energy production starts.

Public comment was solicited.

~The maximum CMP can handle is 10 megawatts.

The project would generate 5 or 10 megs at each site, depending on conditions. The power generated will go over the grid.

~The landfill is a good site. This is a low impact project.

The DEP will advise on construction at the site to minimize soil disruption. The solar arrays will be placed on blocks and not affect the landfill.

~The 9B site has limited uses. The Town would get \$85,000-90,000 per year in lease payments which would offset our energy bills.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and authorize the Town Manager to sign the Memorandum of Understanding (MOU) with Walden Renewables Development LLC regarding their right to investigate on town-owned parcels the feasibility, pending Town Meeting approval, for the Board of Selectmen to lease land for the development of utility grade solar array projects. Passed unanimously.

2. *Public Hearing for the purpose of releasing up to \$51,000 from the Beach Enterprise Fund for the lease of a new tractor and purchase of a reconditioned Beach Surf Rake to replace the existing 17 year old tractor and surf rake currently in use and to trade in the current owned Beach Rake to offset the cost of the purchase of the reconditioned Beach Rake 600HD model.*

The Public Works Director presented a plan to lease a tractor and purchase a larger reconditioned surf rake. The beach could be cleaned faster and more efficiently, and the equipment could be used more often and in inclement weather.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and release up to \$51,000 from the Beach Enterprise Fund for the lease of a new tractor and purchase of a reconditioned Beach Surf Rake to replace the existing 17 year old tractor and surf rake currently in use and to trade in the current owned Beach Rake to offset the cost of the purchase of the reconditioned Beach Rake 600HD model. Passed unanimously.

3. *Public Hearing on an Ordinance to Amend Chapter 80 (Beaches) and 86 (Animals) to bring consistency to Penalty Provisions for Failure to Properly Dispose of Animal Waste.*

After an incident at the beach we found that the language in our ordinances was inconsistent. The Town Attorney has revised the language to come up with a standard penalty.

Public comment was solicited and there was none.

Motion by Mrs. Chase, seconded by Mr. Hobbs, to close the public hearing and amend Chapter 80 (Beaches) and 86 (Animals) to bring consistency to Penalty Provisions for Failure to Properly Dispose of Animal Waste. Passed unanimously.

4. *Public hearing on the proposed Zoning Amendments to Chapter 145 (Land Use) Code of the Town Wells for the 2019 Town Meeting.*

Town Planner/Engineer Mike Livingston reviewed the language of the proposed amendments.

- 1) To permit farm/lemonade/egg stands. The change would decrease the amount of regulation for these uses. Yard sales would still require permits.
- 2) To define net habitable floor areas.
- 3) To define accessory living spaces as not being dwelling units. Any structural change would need a building permit. This would be an accessory to an existing dwelling unit.
- 4) To clarify the definition of kitchen facility. An entertainment area would not have a full kitchen.
- 5) To clarify the definition of home business. The business owner would be either the home owner or tenant.
- 6) To permit accessory retail use in the Light Industrial District.
- 7) To exempt utility structures from complying with some dimensional requirements.
- 8) To alter building/structure setbacks for multifamily developments. Any part of the structure (decks, etc.) has to meet the 20' separation for single family homes and 30' for multi-family residences.
- 9) To include solar arrays as a public utility facility. This does not affect solar panels on homes—those are home improvements and accessory to the home use.
- 10) To clarify daytime hours within the noise ordinance. The Planning Board felt that this proposal needs more work to provide the Police with clear guidance about enforcement. The recommendation is to postpone this until the November vote.

There was a question about #8 and Mr. Livingston explained the separations for types of housing.

Each question will be on the ballot separately.

Motion by Mrs. Chase, seconded by Mr. Roche, to close the public hearing and place amendments #1-9 to Chapter 145 (Land Use) on the 2019 June 11th Town Meeting warrant. Passed unanimously.

5. *Nolette's Pizza Inc., dba: Home Town Pizza, 1517 Post Road, Wells, application for a full-time Malt & Vinous 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.

6. ***Richard M. Varano, dba: Varano's, 60 Mile Road, Wells, application for a full-time Malt, Vinous and 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.

7. ***Trailblazers Inc., dba: Trailblazers Family Club, 102 Bills Lane, Wells, application for a full-time Malt, Vinous, and Spirituous Liquor License. (R)***

AND

8. ***Trailblazers Inc., dba: Trailblazers Family Club, 102 Bills Lane, 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 4-0-1 with Mrs. Chase abstaining.

9. ***Erica R. Dionne, dba: The Muthah Truckah, 430A East Bridge Street, Westbrook, application for a Food Truck License.***

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.

10. ***Good News***

~WEMS received several thank you letters from people they assisted.

11. ***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 March 19, 2019 with expenses of \$1,204,489.15, school payment of \$1,652,752.00, net payroll for the week ending 3/7/19 in the amount of \$78,980.44, net payroll for the week ending 3/14/19 in the amount of \$76,729.86, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$64,212.05 for total expenses of \$3,077,163.50.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Warrant dated March 19, 2019 in the amount of \$3,077,163.50. Passed unanimously.

There is a General Assistance Warrant dated March 19, 2019 in the amount of \$1,391.23 from the Special Fuel Fund .The Fuel Fund balance is \$44,331.92.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the General Assistance Warrant dated March 19, 2019 in the amount of \$1,391.23. Passed unanimously.

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

a) ***Discussion and action on scheduling a Joint Public Hearing with the Budget Review Committee on the proposed FY'20 Municipal Budget and the proposed financial Warrant Articles which will be voted by referendum ballot on June 11, 2019.***

Motion by Mrs. Chase, seconded by Mr. Roche, to schedule a Joint Public Hearing regarding the proposed FY'20 Municipal Budget and the proposed financial Warrant Articles with the Budget Review Committee for 7 PM on April 2, 2019 in the Littlefield Meeting Room, 208 Sanford Road, Wells. Passed unanimously.

b) ***Discussion and action on accepting the DEP awarded Pump Out grant to the Wells Harbor Western Pier in the amount of up to \$32,000 and the system installer for \$31,015.***

This is a replacement pump out unit that our former harbormaster was able to arrange through a grant program.

Motion by Mrs. Chase, seconded by Mr. Roche, to accept the State DEP Pump Out grant in the amount of \$32,000 and award the installation of the system to Marine Boat Builders Company for the State accepted quote of \$31,015. Passed unanimously.

c) ***Discussion and action on abatements on Personal Property and Real Estate.***

There is a 6 year statute of limitations on collecting personal property taxes. The Finance Director recommends abating \$31,613.38 that cannot be collected. She is working with the Town Attorney to file legal claims to redeem \$39,594.52.

Motion by Mrs. Chase, seconded by Mr. Roche, to abate taxes in the amount of \$31,613.38 and authorize the Finance Director to have the Town Attorney file legal claims to redeem outstanding personal property taxes owed and for accounts that are still in business and for travel trailers that do not fall under the lien process for real estate. Passed unanimously.

d) ***Discussion and action to approve Corrective Quitclaim Deeds for the following properties that had a foreclosure date of March 12, 2015. The 60 day buy back period for the property ended May 5, 2015. Quitclaim Discharge Deeds are to correct an incorrect owner designated in the Town records.***

~Katherine M. Ferland, Trustee of the Norman E. Ferland Revocable Trust. Property is known as parcel number 0150/027-000. Payment was received to pay FY14, FY 15 and FY 16 on February 23, 2016.

~Katherine M. Ferland, Trustee of the Norman E. Ferland Revocable Trust. Property is known as parcel number 0150/028-000. Payment was received to pay FY14, FY 15 and FY 16 on February 23, 2016.

Motion by Mrs. Chase, seconded by Mr. Roche, to approve and sign the Corrective Quitclaim Deeds to release the liens on the properties listed above. Passed unanimously.

e) *Discussion and action on awarding the 2019 36 month lease for telephone hosted voice over IP to GWI.*

The Board held a workshop earlier to review the proposals for our VOIP system and the work of our consultant Marc Saulnier. Both companies made good presentations, and GWI was the low bidder by \$20,000.

Motion by Mrs. Chase, seconded by Mr. Roche, to award the 2019 36 month lease for telephone hosted voice over IP to GWI for their submitted proposal cost of \$127,342. Passed unanimously.

f) *Discussion and action on allowing the Sanford High School Key Club to hold a “Spring Plunge” fundraiser on April 13, 2019 at Wells Beach at the end of Mile Road - off Casino Square steps.*

Public safety personnel will be on site.

Motion by Mrs. Chase, seconded by Mr. Roche, to allow the Sanford High School Key Club to hold a “Spring Plunge” fundraiser on April 13, 2019 at Wells Beach at the end of Mile Road off Casino Square steps. Passed unanimously.

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

1. *Town Manager*

- i. Harbormaster appointment: Michael Yorke. Michael started working last week after completing the Harbormaster Course.
- ii. Firefighter appointments: Chad Charland and Matt Magill
- iii. Richard Clark’s retirement as a long-time Firefighter.

Richard Clark’s retirement was accepted with regret.

2. *Selectmen*

a) *Budget Review Committee Appointments*

- i. Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Richard DeBold as a regular member to the Budget Review Committee with term to expire April 2022. Passed unanimously.
- ii. Motion by Mrs. Chase, seconded by Mr. Roche, to appoint Robert Mulcahy as an associate member to the Budget Review Committee with term to expire April 2022. Passed unanimously.

b) *Clam Commission*

- i. Motion by Mrs. Chase, seconded by Mr. Roche, to reappoint Maynard Bridges to the Clam Commission with term to expire March 2022. Passed unanimously.

h) Discussion and action to accept donations and bequests.

1. \$35.51 donation from Brent Marriner & Marriner Marketing to the Town of Wells for the Fuel Assistance Program Fund.

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. \$38.00 donation 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. \$2,475.00 donation from Friends Supporting 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.

4. \$1,657.00 from Wells Public Library Foundation Inc. 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.

NEW BUSINESS

1. Open to the Public

Mr. Howarth commented on the number of people who came to the workshops and meeting tonight, and invited everyone at home to join us and participate.

2. Town Manager's Report

The Maine Municipal Association has an opening on their Board of Directors. Member towns can have a representative on the Board.

3. Adjournment

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

Respectfully submitted,

Accepted by,





Cinndi Davidson

Cinndi Davidson,
Meeting Recorder
