

SELECTMEN'S MEETING –TUESDAY, AUGUST 4, 2015

Present: Chairman Karl Ekstedt, Selectmen Tim Roche, Kathy Chase, Chris Chase and Richard Clark, Town Manager Jon Carter.

MUNICIPAL OFFICERS BUSINESS/PUBLIC HEARINGS

1. Public Hearing on a proposed “Ordinance to Reduce the FY’16 Appropriations to be in compliance with LD-1 Spending Limit and the Town Meeting Vote on June 9, 2015” per the Town of Wells Charter, Section 7.08.4

The June 9 vote failed to override LD-1, and Articles 9 & 10 for the Capital Improvement Plan failed to pass. The reversion clause became effective and, since the articles failed, the appropriation will be the amount approved last year. The CIP chart has been modified and the tax appropriation within CIP is being reduced by \$995,860. In Article 9 with the proposed CIP plan, the amount would be \$1,705,711 and capital expenditures would be \$1,804,023. That brings our expenditures \$133 under LD-1.

Public comment was solicited and there was none.

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

Motion by Mr. Clark, seconded by Mr. Roche, to enact “An Ordinance to Reduce the FY’16 Appropriations to be in compliance with LD-1 Spending Limit and the Town Meeting Vote on June 9, 2015”. Passed unanimously.

2. Public Hearing to access the Grant Matching Fund in the amount of \$4,000.00 as the local match for the Maine Coastal Program Grant for research undertaken by a Town Historian regarding beach ownership and improving public access.

According to research by Peter Moody, deeds granted by the King of England ran to “the seawall” i.e. the face of the dune. We have an opportunity to partner with the Wells Reserve and have a third party research to see if this is historically accurate. There is a question of whether beach ownership was ever granted to private landowners.

Public comment was solicited. There were concerns about increasing beach access, parking lots that are at capacity and the possibility of litigation and legal expenses for the Town. Several residents were interested in crafting a beach agreement between property owners and the Town. There have been several court cases in recent years involving Wells and other municipalities in this area. Mr. Moody’s research included Kennebunk and Kennebunkport which were originally part of Wells, and the early deeds were to the seawall. There were several comments that this research should be done now to clarify the question of beach ownership, possibly sparing the Town from additional litigation.

Mr. Ekstedt said that more education for beach visitors is needed about respecting the beaches and the rights of property owners. Mr. Roche felt that the study would cover more than Drakes Island and the Town might get Moody Beach back. Mrs. Chase supported the study as an opportunity to get some answers to serious questions. Mr. Chase felt that the study would

include all beaches in Wells and the information may save us legal fees in the future. Mr. Clark said the Town should follow up with Mr. Moody's research and it is in the Town's best interest to have the information.

There was a question about the real estate tax assessment that was done several years ago. Mr. Carter said the entire Town was revalued.

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

Motion by Mr. Clark, seconded by Mrs. Chase, to access the Grant Matching Fund \$4,000 as the local match for the study for all Town beaches. Passed 4-1 with Mr. Ekstedt opposed.

3. *High Pine Fire Association, 51 High Pine Loop Road, Wells, application for an Outdoor Festival Permit (over 1,000 people) for a festival to be held at the Wells Junior High School on August 9th-16th, 2015.*

AND

4. *High Pine Fire Association, 51 High Pine Loop Road, Wells, application for a Mass Gathering Permit (500 or more people, but less than 1,000) for a festival to be held at the Wells Junior High School on August 9th-16th, 2015.*

Bob Froncko has received permission from the school district to hold the festival on school property. There is a question about the type of permit required and Mr. Froncko feels that a Mass Gathering Permit is appropriate for the first year this event is held. He described the event as a kids' carnival with amusements, rides, games and concessions from 5-10 PM, August 9-16. Most of the abutters have already been notified. The emergency action plan has been prepared. Funds raised by the Association will be donated to the Town.

Public comment was solicited and there was none.

Motion by Mr. Clark, seconded by Mr. Roche, to close the public hearing, grant the Mass Gathering Permit and waive the fees. Passed unanimously.

Motion by Mr. Clark, seconded by Mr. Roche, to table the Outdoor Festival Permit. Passed unanimously.

5. *Good News*

~Wells HarborFest was successful. Mr. Carter thanked the Rotary and its President Ryan Liberty and everyone involved with the event.

~Owen Grumbling thanked the Board for all the support over the years toward conservation.

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*

a. Discussion and action on approving the Warrants dated August 4, 2015.

There is a warrant dated August 4, 2015: FY '15 portion \$17,673.10, FY'16 portion \$358,797.59, no school payment, net payroll for the week ending 7/23/2015 in the amount of \$94,826.16, net payroll for the week ending 7/30/2015 in the amount of \$92,513.82, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$85,391.86 for total expenses of \$649,202.53.

Motion by Mr. Clark, seconded by Mr. Chase, to approve and sign the Warrant dated August 4, 2015, in the amount of \$649,202.53. Passed unanimously.

There is a General Assistance Warrant dated August 4, 2015 in the amount of \$500.00.

Motion by Mr. Clark, seconded by Mr. Chase, to approve and sign the General Assistance Warrant dated August 4, 2015, in the amount of \$500.00. Passed unanimously.

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

a. Discussion and action on the FY'15 Carry Forward Requests from the Municipal Departments' Budgets

FY'15 is being closed out, and bills are coming in during the new fiscal year. The list of carry forward requests was reviewed at an earlier workshop and the amount totals \$200,073.66. An amendment to the Selectmen's Contingency of \$1,500.00 reduces the total to \$198,565.66.

Motion by Mr. Chase, seconded by Mr. Clark, to carry forward \$198,565.66. Passed unanimously.

b. Discussion and action to authorize the Town Manager to proceed with implementing the Geo Referencing Project using our GIS Vendor CAI Technologies, subcontractors and staff for the estimated price of \$106,000 over the next several years.

This project integrates photography and global positioning to make our tax maps more accurate. This will improve assessing, development and permitting. The CIP has been funded for the past decade to do this project. Some new aerial photography will be done next year and the entire project is expected to take about 30 months.

Motion by Mr. Clark, seconded by Mrs. Chase, to authorize the Town Manager to enter into a contract with CAI Technologies for up to \$106,000 to update the GIS project. Passed unanimously.

c. Discussion and action on scheduling a public hearing to accept the State Coastal Grant Award for \$5,200 to assist with the development of a harbor trail at Harbor Park and to release from the Grant Matching Account up to \$2,800 for the local match for a total grant of \$8,000.

Motion by Mr. Clark, seconded by Mrs. Chase, to schedule a public hearing for 7 PM on August 18, 2015 to consider accessing the Grant Matching Account for up to \$2,800 for the local match. Passed unanimously.

d. Discussion and action on the appointment of Chief Jo-Ann Putnam as Acting Town Manager while the Town Manager is away August 12-16, 2015.

Motion by Mr. Clark, seconded by Mrs. Chase, to appoint Chief Putnam as Acting Town Manager from August 12-16, 2015. Passed 4-0 (Mr. Roche had left the room.)

e. Discussion and action to release the funds for Spiller Farm Agricultural Easement and authorization granted to the Town Manager to sign the Easement documents.

Motion by Mr. Clark, seconded by Mrs. Chase, to table this item to the August 18, 2015 meeting. Passed 4-0.

f. Discussion and action on accepting the FY'16 Town of Wells Work Plan.

The Work Plan was put together after the Town Meeting to consolidate the entire list of projects for the coming year and projects continuing from last year. It serves to evaluate the departments' progress in completing projects and meeting the budget.

Motion by Mr. Clark, seconded by Mr. Roche, to adopt the FY'16 Work Plan as presented. Passed 5-0.

g. Discussion and action on signing the MaineDOT Construction Overlimit Permit Agreement for the Pumping Station Bridge over Branch Brook on the Wells/Kennebunk Town Line.

This is the standard agreement used by DOT for construction projects involving equipment that exceeds legal weight limits. Highway Commissioner Terry Oliver said the contractors will be using roads that were built for heavy loads and he didn't feel that a road bond is necessary.

Motion by Mr. Chase, seconded by Mr. Clark, to allow the DOT contractors' over weight vehicles to use the roads and not require a bond. Passed unanimously.

h. Discussion and action on Personnel and Committee Assignments, Resignations and Issues:

1. Motion by Mr. Clark, seconded by Mr. Roche, to appoint Michael Livingston, Town Planner/Engineer as the Non Union Employee Representative to the PAC, term to expire July 2016. Passed unanimously.

2. Motion by Mr. Clark, seconded by Mr. Roche, to appoint Cynthia Adamsky to the PAC, term to expire July 2018. Passed unanimously.

3. Motion by Mr. Clark, seconded by Mr. Roche, to accept with regret the resignation of Jack Webster from the Boston Post Cane Committee and send him a letter of thanks for his service. Passed unanimously.

i. Discussion and action to accept donations and bequests:

1. \$70.00 from Susan Kanak to the Wells Public Library in honor of her parents, Dayl and Stan Norton's 70th Wedding Anniversary.

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

2. \$100.00 from Irene Pepin of Kennebunk to the Wells Public Library.

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

3. \$33.00 from Various Library Users to the Wells Public Library.

Motion by Mr. Clark, seconded by Mrs. Chase, to accept the donations. Passed unanimously.

4. \$114.00 from Dr. Roger Kendrick of Kennebunk to the Wells Fire Department.

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

j. Discussion and action on approving minutes of the July 21, 2015 Selectmen's meeting.

Motion by Mr. Clark, seconded by Mr. Roche, to accept the minutes as amended. Passed unanimously.

NEW BUSINESS

1. Open to the Public

Library Director Devin Burritt discussed the Friends of the Library annual book sale which will be held Friday, August 7 from 5-8 PM and Saturday, August 8 from 9 AM -2PM. The sale includes books, audio books and CD's. Proceeds from the sale are used to support the Library's programs. Thank you to everyone who helped move the books over to the Junior High School.

2. Town Manager's Report

~Update on Projects

The Library roof project has been totally closed out and we are receiving the final insurance check tomorrow.

The Transfer Station building has been ordered and is due in October. The lack of Internet service is holding back the operation of the scale. Progress is being made on the Town's processing line and it should be operational in late summer/early fall.

~Comedy Night

Geoff Payson of Craft Comedy is planning a series of comedy nights on Fridays in August. Events are scheduled for August 21 and 28 at the Gazebo in Harbor Park.

3. *Adjournment*

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

Respectfully submitted,

Accepted by,

Cinndi Davidson,
Meeting Recorder

