

SELECTMEN'S MEETING – TUESDAY, JANUARY 21, 2014

Present: Chairman Karl Ekstedt, Selectmen Tim Roche, Chris Chase, Richard Clark and Robert Foley and Town Manager Jonathan Carter.

MUNICIPAL OFFICERS BUSINESS/PUBLIC HEARINGS

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

Public comment was solicited and there was none.

Motion by Mr. Clark, seconded by Mr. Chase, to close the public hearing and grant the license. Passed 4-0-1 with Mr. Ekstedt abstaining.

2. Good News

~A letter of appreciation was sent to WEMS and the Fire Department for responding to a 911 call for a medical emergency during a snow storm. A team returned the following day and shoveled the resident's deck, stairs and driveway.

~Thank you to the Public Works Department for their hard work during recent storms.

3. Open to the Public

Tom Cashin of Acton addressed the Board regarding an energy policy and climate change petition. He thanked the Town for our efforts in this area, particularly since rising sea levels are a threat to coastal communities.

CURRENT AGENDA ITEMS

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

a) Discussion and action on approving the warrants dated January 21, 2014.

There is a warrant dated January 21, 2014 for expenses of \$326,025.21, no school payment, net payroll for the week ending 1/9/2014 in the amount of \$66,226.80, net payroll for the week ending 1/16/2014 in the amount of \$64,552.90, and state and federal withholding taxes, plus FICA, Medicare and federal taxes filed electronically in the amount of \$61,004.38 for total expenses of \$517,809.29.

Motion by Mr. Clark, seconded by Mr. Chase, to approve the Warrant dated January 21, 2014, in the amount of \$517,809.29. Passed unanimously.

There is a Special Fuel Fund Warrant dated January 21, 2014 in the amount of \$369.00. The Fund balance is \$29,559.09.

Motion by Mr. Clark, seconded by Mr. Chase, to approve the Special Fuel Fund Warrant dated January 21, 2014 in the amount of \$369.00. Passed unanimously.

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

a) Update and discussion on the Town testing of the FEMA New Flood Maps.

Town Engineer Mike Livingston has been working with Wright-Pierce to review the new maps. The final written report is still pending. No gross errors were found in the maps, only some minor inconsistencies near the seawall where contours were rounded off. The Wright-Pierce elevations compared to FEMA's contour lines were within 1 ft. vertically. The 90 day appeal period begins March 1. Presently there are 1,640 lots in Town in the flood plain; the new maps add 60 lots, mostly in the marsh area. Wave height calculations are in question because a West Coast model was used and the terrain on the two coasts is different. Bob Gerber is working with several municipalities on their appeals and doing modeling of the marsh areas. He will do an evaluation for Wells for \$1500. An alternative would be to hire the Woods Hole MA consulting group.

Mr. Foley's major concern was the use of Pacific coast modeling to develop maps for the east coast. The error in modeling appears to be about 2 ft. in elevation. Inaccurate modeling would force many owners to buy flood insurance, and if any renovations are done the houses would have to be raised. When flood mapping was last done in 1999, the Town found that the methodology was incorrect and our appeal was successful. Mr. Clark asked how the owners of the 60 lots will be notified. The CEO put notices in the tax bills for the new properties in the flood plain. Mr. Carter recommended contacting the owners again. Mr. Clark said we should cooperate with other municipalities if we choose to appeal the modeling. Senator King has introduced a bill providing for reimbursement of communities that successfully appeal the flood maps.

Motion by Mr. Foley, seconded by Mr. Clark, to hire Bob Gerber for \$1500 to evaluate the flood mapping methodology. Passed unanimously.

b) Discussion and action on amending the Beach Parking Pass Policy for 2014.

Staff members have reported that the off-season parking hourly rate system isn't working and people are having difficulty with the tokens. They recommend reduced half day and full day rates for the off-season which would allow the use of tokens. Off-season is defined as the time from the end of Memorial Day Weekend to the end of June, and from Labor Day to Columbus Day. Rates would be \$5 for a half day and \$10 for a full day.

Motion by Mr. Clark, seconded by Mr. Chase, to schedule a public hearing for 7:00 PM on February 4 on the issue of changing the beach parking rates. Passed unanimously.

c) *Discussion and action on awarding the new Website design and development.*

Funds were approved for FY'14 to select a new company to design a new Town website. Of the 8 proposals received, Civic Plus of Kansas offered more programs and content and was the least expensive. The cost would be \$20,028 with an annual hosting cost of \$3,837 including redesign after 4 years. They have over 1,500 municipal clients including Kennebunk.

Motion by Mr. Clark, seconded by Mr. Chase, to award the contract to Civic Plus for \$23,865.00. Passed unanimously.

d) *Discussion and action on approving the Mutual Aid Agreement between the Wells Fire Department and WEMS.*

This agreement was drafted after our workers' compensation analysis and is intended to provide a better working relationship between the parties. WEMS Director Brian Watkins felt the old agreement needed to be revised to protect his employees. Mr. Ekstedt asked why the Police Department isn't included. He also asked about training and scheduling of personnel based on their qualifications. Mr. Chase asked if the WEMS personnel are per diem, but the Fire Department personnel can't be per diem because of the union rules. It seems that the agreement would violate that. Mr. Clark said that WEMS is different from the Town Fire and Police Departments, but WEMS personnel would also have firefighting skills and would be used as needed in an emergency. Mr. Ekstedt was concerned that the Incident Commander might give someone an assignment he/she wasn't qualified for. Fire Chief Dan Moore said the performance standards used are the Maine State Certification Standards for a Firefighter. For scheduling, Mr. Watkins has to consider his employees' full-time jobs. WEMS is quasi-municipal, and is also the State-licensed emergency medical transport service for Wells. Mr. Foley said he could accept the language of the agreement since the two managers and the Town Attorney drafted it. Mr. Ekstedt will call the Town Attorney with his concerns.

Motion by Mr. Clark, seconded by Mr. Foley, to table this item until February 4. Passed unanimously.

e) *Discussion and action on disposing as surplus equipment Police Department Vehicles.*

The Police Department has two vehicles considered surplus. Car 25 (2010) is in good condition and the recommendation is to allow the CEO Office to use it as a second inspector vehicle. Car 23 (2008) has some interior damage and is recommended for disposal through competitive bid and sale.

Motion by Mr. Foley, seconded by Mr. Clark, to allow Car 25 to be used by the CEO, and to allow Car 23 to be put out to bid. Passed unanimously.

f) *Discussion and action to set a public hearing on increasing the 2014 Lodging License Fees.*

Lodging license fees were last increased in 2003, and the RV park fees have been in effect since at least 1994. Staff is proposing an increase in the lodging license from \$10 to \$25 per unit, and an increase in campground fees from \$1 per site with a \$100 maximum to \$15 per site and no cap. The current fees do not cover the amount of work by the Code Enforcement Office. Mr. Chase asked what services the campground owners are receiving to justify such a large increase. Mr. Foley asked why there is a lodging fee in addition to the property taxes. Mr. Carter said these facilities take a lot of time and effort by Town staff, and the fees haven't been raised in a decade. The lodging license is a regulatory fee for the work done by the Town. Mr. Clark said the fees were instituted to cover enforcement costs in the Code Office. Mr. Foley said the campgrounds don't have the same enforcement issues as the motels, and suggested increases to \$15 per motel unit and \$2 per campground site. The campground inspections are done for health and safety reasons, and include visits by the Police and Fire Departments. CEO Jodine Adams said there are 18 campgrounds with 2,683 sites. The cap isn't fair to smaller organizations that have only 20-30 sites. Town Clerk Jessica Keyes said there are 4 campgrounds with over 200 sites and one has over 400 sites.

Motion by Mr. Foley, seconded by Mr. Roche, to propose rates of \$15 per motel/cottage unit and \$2 per campground site, and schedule a public hearing for 7:00 PM on February 4. Passed unanimously.

g) Discussion and action to set a public hearing to review the annual Lodging Licenses.

Motion by Mr. Roche, seconded by Mr. Clark, to set a public hearing for 7:00 PM on February 4 to review the annual Lodging License applications. Passed unanimously.

h) Discussion and action to approve a request from the Northern New England Chapter Cystic Fibrosis Foundation for the Aptalis CF Cycle for Life Seacoast Safari tour through Wells on July 19th and 20th, 2014.

Motion by Mr. Clark, seconded by Mr. Roche, to approve the request for the annual ride. Passed unanimously.

i) Discussion and action on Personnel and Committee Assignments, Resignations and Issues:

i. Budget Committee Resignation

Motion by Mr. Clark, seconded by Mr. Foley, to accept the resignation of Connie Bemis and send her a letter of thanks for her service. Passed unanimously.

ii. Appointments to the Solid Waste and Recycling Committee:

Motion by Mr. Chase, seconded by Mr. Roche, to appoint the following individuals. Passed 4-0-1 with Mr. Ekstedt abstaining.

1. *Robert Subilia*
2. *Sally Morse*
3. *Steven Koeninger*
4. *David MacKenzie*
5. *Shawn Hubbard*
6. *Mark Webster*
7. *Cynthia Davidson*
8. *Ronald Cheney*

Motion by Mr. Chase, seconded by Mr. Roche, to amend the charter of the Committee to include Selectman Clark, Mr. Carter and Public Works Director Terry Oliver, and to increase the number of members from 6 to 8. Passed 3-1-1 with Mr. Clark opposed and Mr. Ekstedt abstaining.

iii. Personnel Advisory Committee Appointments:

1. Maryanna Arsenault, Regular Member

This appointment will be rescheduled when she is available for an interview.

2. Devin Burritt

Motion by Mr. Clark, seconded by Mr. Chase, to appoint Devin Burritt as an Employee Representative. Passed unanimously.

j) Discussion and action to accept donations and bequests:

1. \$7,500.00 from the Forbes Charitable Trust for the Special Fuel Fund.

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

2. \$25.00 from Richard and Sheila Waterhouse to the Wells Fire Department for the Fire Safety Trailer Account.

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

3. \$100.00 from Ira Hoffman and Bonnie Shattuck to the Wells Fire Department for the Fire Safety Trailer Account.

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

4. \$200.00 from Eleanor and William Andrews to the Town of Wells for the Special Fuel Fund.

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

k) Discussion and action on approving minutes of January 7, 2014 Selectmen’s meeting.

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

NEW BUSINESS

1. Open to the Public

Public comment was solicited and there was none.

2. Town Manager’s Report

~Two longtime residents passed away last week, Russell Darling and Robert Jorgensen. The Jorgensen Family is holding a memorial service February 9 at Jorgensen’s Antiques.

~The application for the new high school will be submitted soon and the Planning Office and Code Office would like to know if the fees will be waived. Ms. Adams said the building permit fees will be about \$10,000-15,000 and the site plan fees will be about \$5,000-6,000. She suggested having the District at least pay for the abutters’ notices and legal notices, if the Selectmen decide to waive the fees. Mr. Foley said the cost should be shared by both communities in the District. Ms. Adams has the square footage and will work up the exact fees and amount of staff review time. The sketch plan application came in today and the Planning Board will be scheduling a site walk. There will be an appeal to the ZBA, probably in February, because of the building height. There is a \$100 application fee plus abutters’ notices and the ad in the paper for a total of about \$300.

3. Adjournment

Motion by Mr. Foley, seconded by Mr. Chase, to adjourn. Passed unanimously.

Respectfully submitted,

Accepted by,

Cinndi Davidson
Recorder
