

BOARD OF SELECTMEN - TOWN OF MACHIAS

JANUARY 8, 2014

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:00 PM by Chairman Aubrey Carter. In attendance were Board members Danny Manchester and Cony Upton; Town Manager Christopher Loughlin; Secretary Cathy Lord; Fire Chief Joey Dennison, Public Works Director Mike Gooch, Hillary Savage, Ed Pellon, Nancy Manchester, Betty Fitzgerald, Sharon Mack.

1. MINUTES - REVIEW AND ACTION

On a motion by Danny Manchester, seconded by Cony Upton, the Board voted to approve the minutes of the December 11, 2013 Board meeting.

2. WARRANTS - REVIEW AND ACTION

On a motion by Danny Manchester, seconded by Cony Upton, the Board VOTED:

To approve municipal warrant #50 in the amount of \$1,602.75; to approve municipal warrant #51 in the amount of \$1,613.95; to approve municipal warrant #52 in the amount of \$11,370.66; to approve municipal warrant #53 in the amount of \$26,016.18; to approve municipal warrant #54 in the amount of \$19,672.15; to approve municipal warrant #55 in the amount of \$31,234.21; to approve municipal warrant #56 in the amount of \$12,636.97; to approve municipal warrant #57 in the amount of \$14,204.24; to approve municipal warrant #58 in the amount of \$192.83; to approve municipal warrant #59 in the amount of \$17,936.87; and, to approve municipal warrant #60 in the amount of \$83,703.12.

On a motion by Danny Manchester, seconded by Warren Gay, the Board VOTED:

To approve school warrant #26 in the amount of \$174,352.97; to approve school warrant #28 in the amount of \$183,708.88; and, to approve school warrant #28-2 in the amount of \$276.45 .

3. LIQUOR LICENSE APPLICATION - BLUEBIRD RANCH RESTAURANT

Mr. Loughlin reviewed an application for a liquor license renewal submitted by Bluebird Ranch Restaurant.

On a motion by Danny Manchester, seconded by Cony Upton, the Board VOTED:

To approve a liquor license renewal for the Bluebird Ranch Restaurant.

4. BUILDING PERMIT FEE FOR COUNTY COURTHOUSE EXPANSION - BETSY FITZGERALD

Washington County Manager Betsy Fitzgerald discussed with the Board the planned \$7,000,000. expansion of the Washington County courthouse complex which is scheduled to be completed by December 2015. Ms. Fitzgerald advised the Board that the building permit application fee for the project is \$3515. Ms. Fitzgerald requested that the Board waive the permit fee due to the fact that this expansion will bring much needed economic activity to the area. Mr.

Carter pointed out that Washington County actually takes revenue away from Machias since the county property is tax-exempt and he also pointed out that the cost of the permit fee would probably be divided up equally between the municipalities of Washington County. Mr. Carter explained that he asked the Town Manager to research the history of building permit fees that have been waived in Machias; Mr. Carter noted that at no time has the Town of Machias waived a building fee for any entity and this includes the hospital expansion, the construction of the veteran's home, and all construction by private property owners. Ms. Fitzgerald said that she understood the Board's position but that she felt compelled to make the request for the County. Mrs. Fitzgerald reviewed the scope of the courthouse expansion which will be funded by the State.

On a motion by Danny Manchester, seconded by Cony Upton, the Board

VOTED:

To deny a request to waive the building permit fee for the Washington County courthouse expansion.

5. PROPERTY TAX ISSUE - E. PELLON COMPANY

Mr. Carter explained that Mr. Pellon is asking for reimbursement of taxes he paid on a piece of property he does not own. He noted that the Town can legally reimburse for up to three years.

On a motion by Danny Manchester, seconded by Cony Upton, the Board

VOTED:

To reimburse Edward Pellon for three years of taxes paid on property he does not own in the amount of \$99.00 which includes interest at five percent with funding to be allocated from the contingency account (Title 36 M.R.S.A. ss841).

Mr. Carter explained that he has asked the Town Manager to advertise for citizens interested in serving on a board of appeals and willing to be trained so that a tax appeal can be presented.

6. PROPOSAL FOR USE OF 250TH ANNIVERSARY REMAINING FUNDS

On a motion by Danny Manchester, seconded by Cony Upton, the Board

VOTED:

To take the disposition of the 250th birthday celebration remaining funds off the table for discussion.

Sharon Mack advised the Board that the 250th anniversary committee has recommended allocating the remaining anniversary monies as originally discussed. The Board reviewed the original recommendation.

On a motion by Danny Manchester, seconded by Cony Upton, the Board

VOTED:

Based on the recommendation of the 250th anniversary committee, to allocate the remaining birthday celebration funds as follows: \$1000. to Margaretta Days, \$1000. to the 4th of July Celebration, \$100 to the Shriner's Hospital, \$2000. to Station '98. and the remaining balance to be placed in a fund for the 300th Machias birthday celebration.

7. FIRE DEPARTMENT DOOR/HEATING ISSUES

Mr. Loughlin advised the Board on problems with the heat at the public safety building; he also noted a problem with insulation on the police side of the building. It was pointed out that pipes in the building recently froze and that there are times when the snow blows through the doors on the fire department side. Chief Joey Dennison pointed out that the department has gone through a lot of heating fuel this year. Various ways to address the problems were discussed. Mr. Carter suggested getting an estimate on the cost of repairs for the Board to look at.

8. FIRE DEPARTMENT APPOINTMENTS

Fire Chief Joey Dennison recommended the appointment of Nicholas Cianciola and Timothy Cox to the volunteer fire department. He advised the Board that he has six vacancies for volunteers at the present time.

On a motion by Danny Manchester, seconded by Cony Upton, the Board VOTED:

Upon the recommendation of the Fire Chief, to appoint Nicholas Cianciola to the Machias Fire Department.

On a motion by Danny Manchester, seconded by Cony Upton, the Board VOTED:

To table the decision on the appointment of Timothy Cox until the full Board is in attendance.

9. OTHER BUSINESS

A. Mr. Loughlin explained steps Penobscot Energy Recovery Company is taking to sustain the continuing operation of waste-to-energy facilities in Maine. He informed the Board that PERC is asking for support of LD1483 which seeks to sustain a waste management system in Maine and that member towns are being asked to support the levying of additional charges. Mr. Loughlin advised the Board that PERC is asking member towns to support the additional charges. It was the consensus of the Board to make a decision as to their stance on the additional charges when the full Board is in attendance.

Mr. Loughlin and the members of the Board discussed waste disposal issues and the status of recyclables.

B. Mr. Loughlin advised the Board that the Washington County Council of Governments is seeking to raise membership rates and that Machias will be assessed \$944. for membership in 2014, \$1,166 for membership in 2015, and \$1,611. for membership in 2015. He noted that the new membership assessments will be based on population.

C. Mr. Loughlin reviewed a 1/3/14 letter to the FAA regarding a request for modification to standards for runway safety areas at the Machias Valley Airport. He explained that the Town is requesting that the FAA issue a modification to standard for both the Runway 36 and the Runway 18 safety areas making one of the runways shorter in length and the other runway longer in length.

10. CALE SEWER REDUCTION REQUEST

Mr. Loughlin advised the Board that he has looked at the last eight quarters of sewer billing for the Cale property (mobile home park) before the charges started escalating and found that the average quarterly bill was in the amount of \$1,625.45 . Mr. Loughlin recommended that the sewer bill ending in April be reduced by \$841.29; that the sewer bill ending in July be reduced by \$1,581.89; and, that the sewer bill ending in October be reduced by \$2,618.21 (for a total reduction of \$5,041.39.)

On a motion by Danny Manchester, seconded by Cony Upton, the Board
VOTED:

To reduce the Cale sewer bill in the amount of \$841.29 for the quarter ending in April, in the amount of
\$1,581.89 for the quarter ending in July, and in the amount of \$2,618.21 for the quarter ending in October.

11. SOLID WASTE CONTRACTS

The Board discussed the status of solid waste contracts. Mr. Carter pointed out that the Town sent out contracts in good faith and he believes that the Town should honor these contracts as they were presented. He added that the Board can arrange a meeting of the contract towns next year before contracts are sent out to discuss changing the way assessments are determined (by number of actual houses in the municipality). Mr. Carter asked Mr. Loughlin to express to Marshfield selectmen that the Machias Board of Selectmen does recognize concerns as to how assessments are currently determined and that the contract towns will meet next year before contracts are sent out to address the assessments.

On a motion by Danny Manchester, seconded by Cony Upton, the Board voted to adjourn the meeting at 7:10 PM.