

BOARD OF SELECTMEN - TOWN OF MACHIAS

JUNE 28, 2017

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:00 PM by Chairman Warren Gay. In attendance were Board members Leslie Haynes, Josh Rolfe, Bill Kitchen, and Paula Johnson-Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Megan Prescott, Joshua Currier, Keith Farren, Jason Prescott, Ruth Moore, Wayne Wood, Stephen Albee, Ed Pellon, Butch Moore, Jonathan Mallar, Ryan Currier, Sylia Pouliot, Bob Berta, Denice Hopkins.

1. BOARD MINUTES - REVIEW AND ACTION

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board voted to approve the minutes of the June 14th Board meeting as presented.

2. WARRANTS - REVIEW AND ACTION

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board
VOTED:

To approve municipal warrant #108 in the amount of \$13,024.58; to approve municipal warrant #109

in the amount of \$430,996.05; to approve municipal warrant #110 in the amount of \$16,778.19; and, to approve municipal warrant #111 in the amount of \$602,750.75 .

On a motion by Josh Rolfe, seconded by Bill Kitchen, the Board
VOTED:

To approve school warrant #52 in the amount of \$228,775.73 .

3. CORRECTION OF 2/8/2017 BOARD MINUTES ON AMBULANCE PURCHASE

Ms. Therrien explained the the minutes of the 2/08/2017 Board meeting should reflect that the winning bidder on the purchase of a new ambulance for the Machias Ambulance Service was actually Greenwood Emergency Vehicles, not New England Emergency Vehicle as was stated in the minutes Ms. Therrien explained that the actual bid submitter was Greenwood Emergency Vehicles. She noted that the Finance Director has recommended that the minutes accurately reflect the winning bidder to avoid any confusion.

On a motion by Josh Rolfe, seconded by Bill Kitchen, the Board
VOTED:

To award the bid for the purchase of the new ambulance for the Machias Ambulance Service to Greenwood Emergency Vehicles.

4. BID OPENING - SCHOOL BUS LOAN

Ms. Therrien noted that bid specifications on the loan for a new school bus for the Machias School Department were sent out to the four local banks and that one response was received.

Bid: Machias Savings Bank - Loan rate of 2.39% on \$85,000. for five years
(annual payments of \$18,256.24)

On a motion by Josh Rolfe, seconded by Bill Kitchen, the Board
VOTED:

To award the bid for a loan (\$85,000.) to purchase a new bus for the Machias School Department to Machias Savings Bank at a rate of 2.39% for a five year loan with annual payments of \$18,256.24 .

5. MDOT - PETITION TO LOWER SPEED LIMIT ON COURT STREET

Chairman Gay asked the Board to consider petitioning the Maine Department of Transportation to lower the speed limit on Court Street from the current 30 MPH down to 25 MPH. He noted that this street is home to the county complex, the Porter Memorial Library, the post office, the district attorney's office, the school complex, as well as Steel's Hill which all receive huge volumes of pedestrian and vehicle traffic which make lowering the speed limit a major safety issue. Mr. Rolfe suggested that the Board request that the 25 MPH designation extend up to the hospital complex. After a discussion of the reasons to lower the speed limit, it was the consensus of the entire Board that due to major safety concerns on Court Street that the Town of Machias would proceed with petitioning the Maine Department of Transportation to lower the speed limit on this street.

Mr. Gay pointed out that a crosswalk will no longer exist in front of the library unless parking is eliminated in front of the library. Ms. Therrien explained that MDOT standards outline that there can be no parking within twenty feet of a crosswalk without a place of landing on both sides of the crosswalk. Mr. Rolfe noted that there are other crosswalks that will not be repainted by the MDOT within Machias due to these regulations. Mr. Pellon pointed out that this would include a crosswalk in front of the Washington County Sheriff's Office.

6. MDOT - MAINTENANCE AGREEMENT

Ms. Therrien advised the members of the Board that the Maine Department of Transportation is looking at paying Machias for pre-approved maintenance/repair of state roads and is willing to reimburse Machias for employee wages/benefits and costs of equipment for work performed by the Town. Mr. Therrien noted that the MDOT will pay the Town for work pre-approved by MDOT if an MDOT work crew is unavailable to perform the needed repairs.

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board

VOTED:

To authorize the Town Manager to enter into an agreement with the Maine Department of Transportation for the Town of Machias to perform pre-approved repairs/maintenance on state roads with the MDOT reimbursing the Town for the costs of the work performed.

7. LOCAL FOOD ORDINANCE

Ms. Therrien noted that the Board has copies of a sample food ordinance for review/revisions. She noted that such an ordinance would require a special town meeting for citizen approval and adoption. Mr. Rolfe commented that the sample ordinance appears to meet the needs of Machias. The Town Manager and the members of the Board discussed scheduling a workshop to review the food ordinance at 5:30 PM before a regularly scheduled board meeting in September. Ms. Therrien noted that she would discuss this again with the Board at an August meeting and schedule the workshop review at that time; she also suggested the possibility of reviewing all the proposed municipal ordinances with changes as suggested by the members of the Machias Planning Board and with input from citizens.

8. COMMUNITY CENTER PROJECT - ESTABLISHMENT OF COMMITTEE

Ms. Therrien reminded the Board of a previous discussion on a proposal to the Board from Mr. Don Ficker on the development of a community center. Ms. Therrien noted that the downtown revitalization committee has discussed the concept. Mr. Rolfe suggested that a community center project committee should be a stand-alone committee; Mr. Gay agreed and other members of the Board agreed to establish a separate committee.

On a motion by Josh Rolfe, seconded by Bill Kitchen, the Board
VOTED:

To establish a community center project committee and to advertise for residents and non-residents interested in serving on such a committee which will include the Town Manager and Mr. Rolfe as the Board's representative.

9. GREENSPACE COMMITTEE - DETERMINATION OF TREE LOCATIONS AT TOWN OFFICE

Ms. Therrien noted that the Board had discussed plantings around the town office at their last meeting; she noted that the greenspace committee is anxious to proceed with the plantings pursuant to the Board's wishes. Ms. Therrien commented that the needs of local businesses and the town were discussed and taken into consideration. Mr. Rolfe commented that everyone wants to make the downtown area look better; he added that he could not agree to anything that would negatively impact businesses; Ms. Johnson-Rolfe agreed that the concerns of local business owners need to be included in any decision the Board makes on this issue.

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board
VOTED:

To not proceed with plantings around the Machias Town Office.

10. DISCUSSION OF MORATORIUM ON RECREATIONAL MARIJUANA

Mr. Gay asked the Board to consider instituting a moratorium on the sale of recreational marijuana within the town limits of Machias. Mr. Gay noted that he has seen the affects of drug use first-hand; he explained that he lost his daughter because of drugs and he sees how people can start with marijuana and proceed to using harder drugs. Mr. Gay pointed out that there is great concern that marijuana is being sold to underage children in Machias. Mr. Rolfe commented that the Board has discussed a moratorium a couple of times; he noted that the State is still undecided on how to proceed/regulate recreational marijuana and that he believes that it is short-sighted to limit the recreational marijuana business.

Mr. Jason Prescott, an owner of a local marijuana dispensary, agreed that marijuana is being sold to children in Machias and that this individual has been reported to the police. Mr. Prescott asked that people keep an open mind and he said that banning marijuana will not stop it from being grown. Mr. Rolfe noted that Machias citizens are split on this topic. Mr. Kitchen asked the question as to how many dispensaries are needed in Machias.

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board
VOTED:

To not discuss a moratorium on the sale of recreational marijuana until the State implements new laws governing the sale of recreational marijuana.

11. REQUEST FROM OWNER FOR ADDITIONAL TIME FOR CODE CORRECTIONS - 18 CHARLES ST.

Ms. Therrien explained that the new owner of property located at 12 Charles Street have indicated their intent to proceed with addressing code violations on the property and are asking for additional time to correct these deficiencies. The Board discussed the request and decided to allow the new owner two additional months until the end of August to address the code violations.

12. TOWN MANAGER'S REPORT

A. Ms. Therrien advised the Board that Machias was not the winning bidder on the police vehicle in Brownville. She noted that the Board had authorized her to place a bid of \$22,901. on the vehicle and that the winning bid was in the amount of \$23,000.

B. Ms. Therrien advised the Board that they have copies of the following for their review: the minutes of the most recent Machias Water Company shareholders meeting, a letter from the Department of Economic and Community Development inviting Machias into the project development phase of the application process for sewer project funding; selection of the recipient of the DeShon Memorial Scholarship; and, notification from the town's attorney regarding the release of discrimination complaints against the Town.

C. Ms. Therrien told the Board that the tax assessor has determined that 34% of Machias properties are tax-exempt.

13. REQUEST FROM INTERNITY ON TAX-EXEMPT STATUS

Ms. Ruth Moore, representing Internity, asked the Board for assistance with designation of tax-exempt status for property located on School Street. She explained that documents on the Internity's tax exempt status were provided to the town's tax assessor and that she has talked with Mr. Guy over the telephone. Ms. Moore said that Mr. Guy was not receptive to changing the property located at 12 School Street to tax-exempt status. Ms. Moore told the members of the Board that there was a clerical error when the property was recorded resulting in her name appearing on documents as an owner of the property. She told the Board that she is requesting that Internity be excused from paying a property tax bill. Ms. Therrien explained that only the tax assessor has the authority to grant tax-exempt status and that the tax assessor must follow strict Maine laws and guidelines that restrict a tax-exempt designation on property where private individual's names are listed on the ownership of the property. Ms. Moore argued that the clerical error was made in the Machias Town Office. Ms. Therrien pointed out that Machias does not handle property transfer of ownership papers. Mr. Gay explained that property transfer documents are processed by the county registry of deeds and that the tax assessor cannot make the property located at 12 School Street tax-exempt based on the documentation he has been provided.

On a motion by Leslie Haynes, seconded by Bill Kitchen, the Board voted to adjourn the meeting at 7:01 PM.