

BOARD OF SELECTMEN - TOWN OF MACHIAS

AUGUST 9, 2017

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:12 PM by Chairman Warren Gay. In attendance were Board members Josh Rolfe, Leslie Haynes, Bill Kitchen, and Paula Johnson-Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; Police Chief Grady Dwelley; Denise Hopkins, Ed Pellon, Bob Berta, David Clark; Mary Angarola, Kehben Grier.

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 July 12, 2017 Board meeting as presented.

2. MUNICIPAL AND SCHOOL WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #5 in the amount of \$14,728.05; to approve municipal warrant #6 in the amount of \$199,362.57; to approve municipal warrant #7 in the amount of \$14,878.78; to approve municipal warrant #8 in the amount of \$41,886.81; to approve municipal warrant #9 in the amount of \$12,793.74; to approve municipal warrant #10 in the amount of \$898,818.69; to approve municipal warrant #11 in the amount of \$13,680.97; and, to approve municipal warrant #12 in the amount of \$58,817.58 .

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

To approve school warrant #3 in the amount of \$357,548.43 and to approve school warrant #5 in the amount of \$224,844.74 .

3. REQUEST TO EXTEND PREMISES - SKYWALKER'S BAR & GRILL

Ms. Therrien read aloud a request from Danielle Parker, owner of Skywalker's Bar & Grill (86 Main Street), to temporarily extend its premises on Friday, August 19th and Saturday, August 20th during the annual blueberry festival. In the memo, the owner of the business describes plans for the event including security and identification checked at the entrance with wristbands issued to customers inside the perimeter fence of the parking area. Mr. Gay asked the Chief of Police if he had any objection to approval of this request based on the experience of the police department with issues at this business. Chief Dwelley responded that he had no objections as long as the owners provide proper security and proper monitoring of potential underage drinkers; the Chief noted that the police department has experienced no problems in the past with this business during a similar event.

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

To approve the request for Skywalker's Bar & Grill to extend the premises on August 19 & 20, 2017 with the assurances provided as stated in the request to the Board of Selectmen.

4. USE OF TOWN PROPERTY FOR LOCATION OF BLACKFLY BALL

Ms. Kehben Grier, an organizer of the Blackfly Ball, explained to the Board that plans are to utilize a different space in Bad Little Falls Park this year for musical performers which will help minimize the need for spectators to cross Elm Street. Ms. Therrien and Mr. Gay noted that they have looked at the alternative site in the park. Ms. Therrien noted some concerns: the need to secure the area around the siphon chamber, potential odor, some rough terrain, steepness and narrowness of sections of the access, and no fencing to protect spectators. She suggested that stakes/roping and lighting of the area would create a safer access for spectators. Ms. Therrien said that she would accompany Ms. Grier to the site to examine ways to address safety concerns. Mr. Gay offered some suggestions to create safer access to the site. Ms. Therrien also noted that the placement of the stage could be positioned to direct the music to the other side of the river to cut down on potential noise complaints. She also pointed out that no more than ten people at one time should be allowed on the footbridge and that monitors should be placed on both sides of the bridge to ensure that the bridge is not overloaded. Ms. Therrien advised that the Public Works Director is addressing some potential hazards around the footbridge and decking to ensure public safety for the event. She added that organizers should also have the electrical box adjacent to the area checked.

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

To approve the use of the alternate location in Bad Little Falls Park for the Blackfly Ball as outlined by Ms. Grier and that organizers provide necessary public safety precautions for the event as discussed.

5. APPROVAL OF MIL RATE FOR 2017 TAX YEAR

Ms. Therrien reviewed a memo from Assessor Doug Guy on his tax rate calculations for 2017-2018. Ms. Therrien noted that Mr. Guy recommends a tax rate of \$21.10 per thousand dollars of valuation, which is up from the previous year's rate of \$19.75 per thousand (increase of \$1.35 per thousand of valuation). The members of the Board discussed setting the mil rate. Ms. Therrien recommended that in the future the Board may want to examine the impact of the homestead exemption on businesses in Machias due to the shifting of the tax burden.

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

To set the 2017-2018 property tax rate at \$21.10 per thousand dollars of valuation.

6. LETTER OF APPRECIATION - MACHIAS AMBULANCE SERVICE

Ms. Therrien read aloud a letter of appreciation from Joan Walker-Wasyk for the professionalism and care provided by personnel with the Machias Ambulance Service. The Board asked that a copy of the letter be provided to the ambulance service.

7. STEEL HILL SIDEWALK PROPOSAL AND GRANT APPLICATION

Ms. Therrien explained that she had Oliver Associates look at possible improvements to the sidewalks on Court Street. She reviewed two estimates for work - an estimate of \$144,000. for the area of lower Court Street to Lyons Street and \$64,000. for the area from Lyons Street to Bruce Street. Ms. Therrien suggested putting a request for funding of repairs into an application to the State for a funding initiative (other funding sources). Mr. Pellon strongly suggested making repairs to the roadway at the end of Lyons Street.

8. COMPENSATION FOR TEMPORARY WORK DURING ABSENCE OF FINANCE DIRECTOR

Ms. Therrien noted that the Board had requested time to think about how to address carrying out the duties and responsibilities of the Finance Director while she is out on maternity leave and had asked that this item be placed on tonight's agenda for further discussion. Ms. Therrien reminded the Board that during a previous situation, the Board had compensated town office personnel \$75.00 per week to perform these extra duties. Ms. Johnson-Rolfe commented that employees should be compensated for the additional work but that it is difficult to think that personnel would have adequate time to do the finance director's work as well as their own work during a typical day. Mr. Rolfe commented that if an employee is delegated more duties that they should be compensated. He added that unless an employee is working more hours to perform these duties an employer is setting up a situation whereby they are obligated to pay the employees for the additional time to perform more responsibilities. Mr. Rolfe expressed concern that employees of other municipal departments might see some parallels to being directed to perform additional duties. Mr. Rolfe stated that he does not see asking personnel to take on additional responsibilities during their normal work day as a wise decision. Mr. Kitchen said that employees should be compensated for completing these additional duties since "they were not specifically hired to perform this work" during their work day.

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

To compensate town office workers an additional \$75.00 per hour for the performance of extra duties associated with the absence of the Finance Director.

Vote On Motion: 0 votes in support of the motion
5 votes opposing the motion

Motion Failed

Ms. Johnson-Rolfe commented that there should be employee job descriptions and a personnel policy to guide the Board in resolving this issue. She reiterated that she does not see this as a personal issue but as an issue that needs to be addressed fairly since the Board does appreciate its employees and what they do. Ms. Johnson-Rolfe stated that employees need to be compensated an hourly wage to perform additional duties beyond their normal work day. Ms. Therrien explained that town office personnel are willing to take on the extra burden such as payroll and accounts payable during the short-term absence of the finance director; she added that these employees may need to put in additional hours to make sure that their own work gets completed. Ms. Therrien estimated that it would take an additional twenty-two to twenty-five hours per work to perform the additional work created by the absence of the Finance Director.

Ms. Clifton told the Board that she has a lot of vacation time built up that she has been unable to use due to the responsibilities her position requires. She noted that she has been especially busy with sewer billing, town meeting, legal notices for taxes and sewer, vital statistics, motor vehicle registrations, and more. Ms. Clifton told the Board that sometimes she has to come into the town office early before normal business hours to get her work done without being interrupted. She also pointed out that it would be impossible to bring in someone to do Mrs. Dennison's work at such short notice and for such a short time. A member of the Board suggested that Ms. Clifton be placed in a separate area away from the public to allow time to work uninterrupted on her duties. Ms. Clifton commented that this would probably not be practical since many citizens ask for her and that she enjoys helping people as part of her daily work day even though it can be difficult to complete her duties when days are filled with customer service requests. Mr. Rolfe pointed out that based on Ms. Clifton's comments it appears that town office employees don't even have the time to perform their work during their normal day and that asking them to do more work would really stretch them. He suggested that the solution could be to increase employee work hours to allow personnel to complete Mrs. Dennison's work after the town office door is closed to the public. Ms. Clifton agreed that she and the Deputy Town Clerk would need more time to complete the additional work.

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

To allow Town Office personnel to work additional hours as required to complete the duties of the Finance Director during her absence at their current hourly rate of pay depending on agreement to this arrangement by the Deputy Town Clerk.

Vote On Motion: 5 votes in support of the motion

0 votes opposing the motion

Motion Passed

Mr. Rolfe noted that there needs to be a way to solve the problem of employees not having enough time to perform current duties. He added that the Board needs to figure out a way to fix this type of problem since it could happen again with the absence of an employee. Mr. Rolfe suggested looking into the feasibility of hiring a part-time

employee. Ms. Therrien commented that in the future Machias may want to work with other town offices which want to pick up extra hours by creating inter-local agreements. Ms. Clifton noted that many people from other towns are already coming to Machias for services. Mr. Kitchen agreed that the members of the Board need "to figure this out".

9. UPDATE ON 12 HIGH STREET PROPERTY

Ms. Therrien informed the members of the Board that she has discussed the property located at 12 High Street with a contractor who is interested in purchasing the damaged building. She noted that this contractor has talked to the current owners and to the town's Code Enforcement Officer regarding the status of the property. Ms. Therrien noted that the contractor is currently in the process of securing the building. Based on this information, Ms. Therrien recommended that the Town cease legal action against the current property owner due to the fact that it appears that the property will be sold to a party who appears to be committed to making the necessary repairs to the building. Members of the Board noted that this was good news and asked that Ms. Therrien keep them updated on progress.

10. ADDITIONAL SCHOOL FUNDING MONIES FOR 2017-2018 FISCAL YEAR

Ms. Therrien explained an additional \$119,000. in subsidy is being allocated to Machias from the State for school funding and that half of this amount was designated by the Governor to be used to directly reduce property taxes. She noted the intention of the school committee to retain the entire amount to put towards next year's school budget. Ms. Therrien explained that the Governor's intention was that half of the additional subsidy was to be utilized to decrease property taxes.

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

That half of the additional \$119,000. school subsidy be used as intended to offset property taxes.

Mr. Gay suggested that Mr. Porter can attend the Board's next meeting if he wants to discuss this issue with the Board of Selectmen.

11. OTHER BUSINESS

A. Ms. Therrien advised the Board that they have a copy of a letter to the Chief of Police regarding the blueberry festival children's parade on August 18th.

12. EXECUTIVE SESSION

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

To adjourn to executive session at 7:28 PM in order to discuss a personnel issue in accordance with MRSA Title 1, Chapter 13, subsection 405, paragraph 6(A).

On a motion by Josh Rolfe, seconded by Warren Gay, the Board adjourned the executive session at 8:03 PM and reconvened into open session.

Mr. Gay explained that no decisions will be made as a result of the executive session and that the Board will review the personnel issue at a later time, when appropriate.

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board voted to adjourn the meeting at 8:04 PM.