

BOARD OF SELECTMEN - TOWN OF MACHIAS

AUGUST 10, 2016

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 Warren Gay, James Whalen, Leslie Haynes, and Josh Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Edward Pellon, Mike Schoppee, Cat Cannon, Larry Armstrong.

1. MINUTES - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the July 27, 2016 Board meeting

2. WARRANTS - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board

VOTED:

To approve municipal warrant #10 in the amount of \$13,063.81; to approve municipal warrant #11 in the amount of \$398,822.03; to approve municipal warrant #12 in the amount of \$9,653.35; and, to approve municipal warrant #13 in the amount of \$27,159.18 .

3. LIQUOR LICENSE RENEWAL - NEW HING GARDEN

Ms. Therrien noted that she received a liquor license renewal from the owner of the New Hing Garden. She explained that the permit had been submitted today and that she assisted the owner in completion of the form. It was noted that the permit is incorrect in that the question on the application as to if the owner had previously applied for a permit was marked "no". Ms. Therrien explained that this application is a renewal and not an initial application which would require a public hearing. The members of the Board reviewed the application. Mr. Carter pointed that the amount for food sales is \$600,000. and the amount of liquor sales is \$8000.

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

VOTED:

To grant a liquor license to the New Hing Garden.

The members of the Board signed the liquor license.

4. APPOINTMENT PAPERS - BOARD SIGNATURES

Ms. Therrien presented appointment papers for the members of the traffic study committee for the Board to sign.

## 5. REQUEST FOR ROAD CLOSURE - SKYWALKER'S

Ms. Therrien explained that she received a written request today from the owner of Skywalker's requesting permission for the closure of lower Court Street to vehicle traffic on Saturday, August 20, 2016 for a street dance during the annual blueberry festival celebration. The Board discussed the request at length; members of the Board questioned if the Town can close a state road without permission from the MDOT. Mr. Pellon noted that the area would have to be clearly marked as closed so that drivers realize the street cannot be accessed, especially in light of the fact that ambulance drivers routinely take Court Street to access the hospital complex. Mr. Rolfe agreed that it is extremely important to make sure that drivers are aware of the detour.

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

VOTED:

To approve the request to close lower Court Street to vehicle traffic on August 20, 2016 pending proof of written permission from the Maine Department of Transportation granting the road closure and that Skywalker's provide two detour signs at the end of Court Street and Colonial Way designating the temporary route for drivers to take to access the hospital complex.

## 6. PUBLIC WORKS REQUEST TO USE PICK-UP - CEMETERY TRAINING

Public Works Director Mike Schoppee introduced a new employee, Mr. Larry Armstrong, to the members of the Board.

Mr. Gay commented that he has heard positive comments as to the attractive appearance of the town this summer.

Mr. Schoppee asked the Board for permission to use the town's pick-up from Friday August 12th to Monday August 15th to drive to Farmington where he will be attending a workshop given by the Maine Cemetery Association to learn how to repair cemetery stones. Mr. Schoppee explained that he needs to take some equipment with him that requires the use of a pick-up to transport.

On a motion by Warren Gay, seconded by Leslie Haynes, the Board

VOTED:

To allow Mr. Schoppee use the town pick-up to attend a cemetery workshop in Farmington.

## 7. TELEBUSINESS CENTER - BID OPENINGS - AIR BALANCING DESIGN

Ms. Therrien advised the Board that no bids were received for the air balancing design for the telebusiness center. Mr. Pellon noted that there is only one company in the state which performs this type of work - Maine Air Balance in Brewer, Maine. The Board discussed how to proceed with procuring an air balance design for the building.

On a motion by Warren Gay, seconded by Leslie Haynes, the Board

VOTED:

To waive the town's bid process and authorize the Town Manager to directly contact Maine Air Balance regarding an air balancing design for the telebusiness center.

Mr. Carter asked that Ms. Therrien proceed with contacting Maine Air Balance regarding an air balancing design.

8. PAVING BID OPENING

Members of the Board opened bids received on paving of town roads and streets.

Bids: Lane Construction Corporation - \$90. per ton  
County Concrete - \$80. per ton

On a motion by Josh Rolfe, seconded by Warren Gy, the Board

VOTED:

Contingent upon a review of the bids by the Public Works Director, to award the bid for paving of town roads/streets to County Concrete at \$80. per ton with the stipulation that the Town will be performing spot checks on truck load weights during the paving project.

9. LOAN BIDS - MACHIAS SCHOOL DEPARTMENT - SCHOOL BUS/LUNCH TABLES

Members of the Board opened the bids received on the \$166,000. five year loan to purchase a school bus and lunch tables for the Machias School Department.

Bids: Machias Savings Bank - 2.29% for a five year term (no bond council required)  
Camden National Bank - 1.94% for a five year term (town must provide a legal opinion)  
Bar Harbor Bank & Trust - 1.83% for five year term (town must provide a legal opinion)

The Board discussed the added cost for the Town to provide an opinion by a bond council. Mr. Rolfe noted that the cost of the bond council would be minimal compared to the total savings the Town will incur with awarding the bid to the low bidder.

On a motion by Josh Rolfe, seconded by James Whalen, the Board

VOTED:

To award the bid for the \$166,000. five year loan to Bar Harbor Bank & Trust at the rate of 1.83% with bond council contingent upon review by the Town's financial director.

10. OPEN SEAT ON BUDGET COMMITTEE

Mr. Carter noted that there is an open seat on the Machias Budget Committee; he advised the Board that Nancy Manchester did not want to be reappointed to the

committee. The Board discussed advertising this position and requested that the Town Manager proceed with placement of an ad for interested citizens.

The members of the Board discussed the need to appoint a Board of Appeals. After some discussion of the issue, Ms. Therrien said that she would get an opinion from MMA as to the need to appoint a Board of Appeals.

## 11. TRANSFER STATION POSITION

Ms. Therrien noted the recent resignation of a part-time employee at the Bay Area Transfer Station. Mr. Carter commented on the difficulty with keeping this part-time position filled due to the fact that there are no benefits tied to the position. He suggested that the Board look at establishing a full-time position with benefits incorporating the part-time position at the transfer station with the part-time snowplow driving position needed during the winter. The Board discussed the proposal; it was noted that a requirement for the driving position is a Class II license. Ms. Therrien told the Board that she will work up some calculations for establishing a full-time position as Mr. Carter described. Ms. Therrien noted that she has a recommendation for the part-time position at the transfer station for the Board to consider.

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

VOTED:

To hire Justin Henderson to fill the part-time position at the Bay Area Transfer Station.

## 12. CREMATORIUM PROPOSAL

Ms. Therrien reported that she solicited an opinion from an MMA attorney regarding questions on the establishment of a crematorium on town cemetery land. She explained that the attorney told her that it was appropriate for the cemetery association to lease cemetery property to the owner of the crematorium, that the crematorium building would be taxable, and that the lease with the cemetery association should be a perpetual lease for a ninety-nine year period.

Ms. Therrien asked the Board to consider allowing Mr. McClure to make a yearly payment in lieu of taxes to the Machias Cemetery Association that would be used for cemetery maintenance. She outlined that Mr. McClure proposed a \$1200. per year payment to lease the cemetery land and that she estimates the property taxes on the building would amount to approximately \$3000. (for a building valued at \$150,000.) which amounts to approximately a \$4000. yearly payment. Ms. Therrien advised the Board that the Machias Cemetery Association will be meeting soon and will discuss the crematorium proposal.

## 13. TOWN MANAGER'S REPORT

A. Ms. Therrien reviewed an e-mail received conveying to the Board concern for an accumulation of used clothing and household items on the sidewalk in front of the Bag of Rags Thrift Store on Main Street. Ms. Therrien noted that she gave each member of the Board a copy of the e-mail for their review.

B. Ms. Therrien noted that the members of the Board have a copy of a letter from the Code Enforcement Officer addressed to the owners of the burned structure located at 12 High Street stating concern that the site is a safety concern.

C. Ms. Therrien informed the Board that the Town has \$15,273.61 sitting in the Ames Walker account.

D. Ms. Therrien advised the Board that it has been forty-five days since the owners of the building on Main Street were notified of the Town's concern for the building; she asked the Board to think about what legal action they want to take.

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to adjourn the meeting at 7:37 PM.