

## BOARD OF SELECTMEN - TOWN OF MACHIAS

AUGUST 23, 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 Josh Rolfe, Leslie Haynes, Bill Kitchen, and Paula Johnson-Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; Ed Pellon, Bob Berta, David Clark; Mary Angarola, Scott Porter, Terry Sanborn, Virginia Brown.

### 1. BOARD MINUTES - REVIEW AND ACTION

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board voted to approve the minutes of the August 2, 2017 Board meeting as presented.

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board voted to approve the minutes of the August 9, 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 #13 in the amount of \$19,918.04; to approve municipal warrant #14 in the amount of \$102,289.93; to approve municipal warrant #15 in the amount of \$15,742.89; and to approve municipal warrant #16 in the amount of \$51,404.55 .

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

To approve school warrant #7 in the amount of \$227,265.44 .

### 3. DISCUSSION WITH MDOT REGIONAL TRAFFIC ENGINEER

Maine Department of Transportation Regional Traffic Engineer Bruce Matson discussed with the members of the Board the status of the crosswalks located in Machias. Mr. Gay noted that the Board of Selectmen are concerned about the location of crosswalks on Main Street and on other streets within the town. Mr. Matson advised the Board that crosswalks are covered under federal law (the Americans with Disabilities Act) and that there are strict guidelines that the MDOT is obligated to follow in locating crosswalks. He noted that it is the responsibility of the town to maintain the crosswalks. Mr. Matson reviewed ADA requirements and he pointed out that a crosswalk must have adequate sight distance and there can be no parking of vehicles within twenty feet on either side of a crosswalk for pedestrian safety.

The Board and Mr. Matson discussed the crosswalk located on Court Street in front of the post office and library. Mr. Matson explained that there can be no parking within twenty feet of this crosswalk to allow a safe sight distance for pedestrians using the crosswalk. He

suggested that the MDOT could instead pave the shoulder to the west of the crosswalk to allow parking for post office and library patrons. Ms. Virginia Brown pointed out that the library does have a grant to address ADA access in the back of the library so that people have an alternative. Mr. Berta commented that it is difficult for handicapped people to get to the post office without the parking that currently exists across from the building. The Board discussed the need for the post office to have a handicap accessible entrance/exit on the rear of the building where there is adequate parking for patrons. Mr. Gay said that he could discuss this problem with the postmaster.

Mr. Matson recommended not painting the crosswalks for the present and that the MDOT will proceed with going out to bid on pedestrian ramps. Members of the Board commented that they want to see crosswalks where they currently exist and asked the MDOT to consider reconfiguring parking spaces to allow placement of crosswalks. Regarding a request from the Board of Selectmen asking that the speed be lowered on Court Street, Mr. Matson explained that the MDOT would need to conduct a traffic study before making a change to the speed limit.

Ms. Therrien asked about the status of the flashing beacon to be located on the college hill; Mr. Matson said that he would check on the beacon and noted that someone would have to pick up the light.

Mr. Gay thanked Mr. Matson for coming to the meeting and discussing various issues with the Board.

#### 4. LIQUOR LICENSE APPLICATION - NEW HING GARDEN RESTAURANT

The Board reviewed a liquor license renewal application submitted by the owners of the New Hing Garden Restaurant on Main Street.

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

To approve a liquor license renewal for the New Hing Garden Restaurant.

#### 5. SOLID WASTE DISPOSAL AGREEMENT - TOWN OF WHITNEYVILLE

The members of the Board signed a solid waste disposal contract with the Town of Whitneyville.

#### 6. SCHOOL SUPERINTENDENT - DISCUSSION OF ADDITIONAL SCHOOL SUBSIDY

Mr. School Porter discussed the additional state subsidy of \$119,106.30 given to the Town of Machias. Mr. Porter noted that there are options to be considered as to the use of the additional funds; he noted that the money does not need to be spent the first year and can go to the school's fund balance. Mr. Porter advised the Board that the school's fund balance has dropped to a projected \$235,000. which he noted is low. Mr. Porter pointed out that the school department used \$200,000. from the fund balance for the school budget and he explained that if the school department had known it would receive this additional money that he would have recommended not using funds from the fund

balance. Mr. Porter told the Board that the Machias School Committee recommends placing the additional funding into the undesignated fund balance. Mr. Rolfe noted that the intent of the additional funding was to offset taxation and he believes that the Board should adhere to this intent. Ms. Therrien pointed out that the law was written that half of the additional allocated subsidy would go directly towards tax relief.

Mr. Porter observed that if the school department continues to spend money from the undesignated fund balance this could create a huge problem and may even create a crisis; he pointed out that the high school needs a new roof and that funding a new roof with no increase from local funding could result in cutting school department personnel. Mr. Rolfe argued for sticking with the intent of the additional subsidy, that half of the funds should directly go towards offsetting taxation. Ms. Johnson-Rolfe commented that she understands the intent of the law and she sees the school department's side; she suggested finding a compromise. Mr. Kitchen asked what the downside would be if the money was used for tax relief. Ms. Therrien outlined that if the school department takes the entire amount that the money could be placed in the fund balance as school money and that during budget discussions next year, everyone would know that these funds are separate and the funds would not be absorbed into the school budget and disappear. Mr. Rolfe noted that the funds are all taxpayer money but that the money would be kept in a separate account. Mr. Porter stated that he and the school committee are fearful of the implications of a greatly reduced fund balance. Mr. Rolfe noted that everyone will need to remember that there is \$119,106.30 from this year's state funding that exists in the fund balance.

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

That the additional school subsidy go directly into the school department's undesignated fund balance.

#### 7. VIRGINIA BROWN - COMMUNITY ROAD RACE

Ms. Virginia Brown discussed tentative plans to hold a road race in her daughter's name and to hold a zombie festival to raise funds for a detox/rehab center in Washington County. She asked the Board if the town wants another festival that would involve closure of streets. Ms. Brown noted that plans are to hold the events on the second weekend of October. Ms. Brown explained that she thought it was important to have the events in Washington County due to the high incidence of drug abuse. Ms. Therrien said that she applauded these efforts and that this is a unique proposal. Mr. Gay added that if it has anything to do with reducing problems with drugs and alcohol that he supports these efforts one hundred percent.

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

To support Ms. Brown's plans to hold events to raise funds for a detox/rehab center in Washington County.

## 8. AIRPORT TERMINAL BUILDING

Ms. Therrien advised the Board that Justin King has requested to discuss concerns with the Board on the airport terminal building bid. Mr. Rolfe noted that the bid for the terminal building was awarded to the low bidder.

## 9. WINDOW REPLACEMENT BID FOR TOWN OFFICE

Ms. Therrien noted that one bid was received in response to the specifications for replacing windows at the Machias Town Office with energy efficient windows. A member of the Board opened the bid.

Bid: \$11,680.10 - King Construction Services

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

VOTED: To award the bid for energy efficient replacement windows for the Machias Town Office to King Construction Services in the amount of \$11,680.10

## 10. PERSONNEL POLICY/JOB DESCRIPTIONS

Ms. Therrien provided the Board with copies of the town's personnel policy and job descriptions for their review. She noted that there is a definite need to update the policy since it was last revised in 1981. Ms. Therrien suggested that the Board could work on revisions at the conclusion of scheduled meetings and progressively update the policy. She noted that she will provide some samples for the Board to look at as a useful guide in what the policy should look like.

## 11. OTHER BUSINESS

A. Mr. Rolfe said that he would really like to revisit the discussion on how to address the management of the Finance Director's responsibilities during her leave of absence. Mr. Rolfe noted that he has thought a lot about the right thing to do in this matter and that he has changed his mind about the decision made by the Board to add hours to the work days of the Town Clerk and Deputy Town Clerk. He noted that he would like to make a motion to address the issue.

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

VOTED:

In light of the extended absence of the Finance Director, to compensate the Town Clerk and Deputy Town Clerk for additional job duties as required and asked to be performed in the amount of \$75.00 each per week effective back to the first day of the absence of the Finance Director.

Vote On Motion: 4 to 0 in favor of the Motion (Mr. Gay, Mr. Rolfe, Mr. Haynes, Mr. Kitchen) 1 abstaining vote (Ms. Johnson-Rolfe)

## Motion Passed

Mr. Rolfe recommended that should this scenario happen again that the Board consider hiring a person to perform the additional duties. Ms. Clifton commented that she finds it very difficult to use her vacation days since someone needs to be in the Town Office to perform the necessary work. Ms. Johnson-Rolfe said that she does not want to be unfair to the workers in the Town Office. Ms. Therrien commented that everyone needs to consider what personnel in the Town Office do throughout the day to keep the office operating.

B. Mr. Pellon expressed concern that the signs at Bad Little Falls Park have not been addressed.

C. Mr. Pellon noted that bulbs need to be replaced on some Main Street streetlights. Mr. Rolfe commented that these bulbs should be under warranty. Ms. Therrien said that she would check with Border Electric.

D. Mr. Pellon requested a copy of the Walker-Ames agreement from the Board of Selectmen.

E. Ms. Virginia Brown asked the Board to reconsider their decision on dike vendors. After a short discussion, Mr. Rolfe suggested putting this issue before the public and ask for comments on how best to handle this problem. Ms. Therrien said that she still has the first draft of the vendor policy the Board had initially worked on if the Board wants to look at it again and get public comments.

F. Ms. Therrien advised the Board that the state's food inspector does not recognize the local food ordinance and she pointed out that commercial food businesses still need to be licensed by the state. Mr. Rolfe suggested obtaining a clarification from the State Attorney General's Office.

G. Ms. Virginia Brown stated her objection to a policy on allowing out-of-town membership on municipal committees.

H. Mr. Gay informed the members of the Board of information he has that the Town of Marshfield is thinking of disbanding its fire department. Ms. Therrien noted that the Board should be included in any discussion between the fire chiefs of Machias and Marshfield on this matter.

I. Ms. Therrien advised the Board that her contract with the Town of Machias is ending and that the Board should review the contract. She noted that she will provide copies for the Board to review.

On a motion by Josh Rolfe, seconded by Bill Kitchen, the Board voted to adjourn the meeting at 7:50 PM.