

## BOARD OF SELECTMEN - TOWN OF MACHIAS

OCTOBER 11, 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, and Paula Johnson-Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Animal Control Officer Bob Sealie, David Clark, Mary Angarola, Sarah Dedmon, Bob Berta.

### 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 September 27, 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 #27 in the amount of \$18,029.91; to approve municipal warrant #28 in the amount of \$98,532.89; to approve municipal warrant #29 in the amount of \$16,490.73; to approve municipal warrant #30 in the amount of \$13,444.14; and, to approve municipal warrant #31 in the amount of \$24,324.73 .

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

To approve school warrant #11 in the amount of \$204,863.20 .

### 3. TOWN OFFICE BID OPENINGS - WINDOW PROJECT

Members of the Board opened one bid received in response to specifications for repair of the windows in the Machias Town Office.

Bid: Machias Glassworks: Option #1 - \$9,750. (materials) + \$2,700. (labor) = \$12,450.  
(double glaze)

Option #2 - \$4,300. (materials) + \$2,700. (labor) = \$17,000. (triple glaze)

Option #3 - \$6,200. (repair of existing windows)

Ms. Therrien explained that she had inquiries from two other businesses in regards to submitting bids on the project and that she advised these contractors that the Board would consider all options presented for repair of the windows. Ms. Therrien noted that even after her discussion with these two perspective contractors no other bids were received other than the Machias Glassworks bid. Ms. Therrien explained that some of the windows have shifted and buckled leaving gaps and exposed areas on the sides of the windows which complicates repairs. The Board discussed the best method of repairing the windows.

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

VOTED:

To award the bid to Machias Glassworks for Option #1 with windows deemed defective and which cannot be resealed being replaced with double glaze windows and windows deemed not functioning correctly be repaired to function in a proper manner.

#### 4. PUBLIC WORKS DEPARTMENT - BID OPENING FOR WINTER SAND

The Board opened bids received for the purchase of 1500 cubic yards of screened sand for winter roads. Ms. Therrien explained that Public Works Department personnel will conduct inspections of the material at the winning contractor's pit location to make sure materials are acceptable as the sand is being delivered to the Public Works garage.

Bids: By Us Company - \$8.35 per cubic yard

Wayne Spear - \$11.00 per cubic yard

Hansom Construction - \$9.45 per cubic yard

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

VOTED:

To award the bid for 1500 cubic yards of screened winter sand to By Us Company for \$8.35 per cubic yard.

#### 5. ANIMAL CONTROL OFFICER CONCERNS ON DEER IN TOWN

Animal Control Officer Bob Sealie discussed the increasing problem of the deer population roaming interior areas of Machias. He noted that he wants to make the Board of Selectmen aware of the situation and start a discussion aimed at addressing the problem. Mr. Sealie explained that he has been in the process of counting new fawns and the number is astounding. Mr. Sealie explained that the deer are being attracted into the built-up areas of Machias because some residents are feeding the deer thereby creating the problem of attracting the deer to the area. Mr. Sealie noted that, unfortunately, the people feeding the deer are creating a problem which could end with dire consequences to the deer. He noted that residents doing the feeding are actually performing an illegal act which might result in the deer having to be killed to eliminate them from the area. Mr. Gay explained that he can talk with the Department of Inland Fisheries and Wildlife as to the problem and how to address the illegal feeding of deer which is creating the problem.

#### 6. FIRE DEPARTMENT - STRUCTURAL BURN REQUEST (237 WEST KENNEBEC ROAD)

The Board reviewed a memo from Fire Chief Joey Dennison advising the Board of a request from Mr. Isiah Roberts to burn a structure located at 237 West Kennebec Road. Ms. Therrien noted that Chief Dennison would like to use this opportunity for live fire training.

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

VOTED:

To allow the Machias Fire Department to conduct live fire training when burning a structure located at 237 West Kennebec Road with the owner of the property providing the standard donation to cover expenses.

Ms. Therrien confirmed that the standard donation to burn a private structure is \$500.

7. FIRE DEPARTMENT - REQUEST TO ADD PERSONNEL TO ROSTER

The Board reviewed a memo from Chief Dennison recommending the addition of Ms. Erica Walsh to the roster of the Machias Fire Department. The Board reviewed Ms. Walsh's application.

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

VOTED:

Upon the recommendation of the Fire Chief, to appoint Ms. Erica Walsh to the roster of the Machias Fire Department with the appointee providing documentation of a physical within six months of her appointment.

8. MEMO ON NOVEMBER AND DECEMBER BOARD MEETING DATES

Ms. Therrien advised the Board that she is looking at recommending that the Board change some of the meeting dates for their meetings in November and December due to holidays. She asked the Board to take a look at the calendar for changes.

9. OTHER BUSINESS

A. Ms. Therrien informed the Board that the Town had foreclosed upon property located at 28 Colonial Way. She explained that Bar Harbor Bank & Trust provided a bank check in the amount of \$8,085.62 to pay for all property taxes, sewer charges, returned check fees, and interest after the foreclosure of the property. Ms. Therrien explained that the bank is requesting that the Town issue the deed for the property back to Bar Harbor Bank & Trust as the mortgage holder. Ms. Therrien noted that Mr. Mack, the previous owner, has a purchase and sale contract fully negotiated to sell the property. The Town Manager recommended that the Town accept the check and issue the deed back to Bar Harbor Bank & Trust as requested since all monies owed the Town have been paid. Ms. Johnson-Rolfe questioned if there is a state statute allowing a municipality to take this action on foreclosed property. Mr. Rolfe said that he would feel more comfortable with something in writing that says the Town is allowed legally to do this and that doing this is not a violation of Maine law. Mr. Gay pointed out that the Town does not want to be in the real estate business. Ms. Therrien read from this year's town meeting warrant article authorizing the Board of Selectmen to dispense of property as deemed necessary. Mr. Rolfe suggested checking with the town's attorney as a precaution.

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

VOTED:

To approve issuing a deed back to Bar Harbor Bank & Trust for property located at 28 Colonial Way and accepting the check in the amount of \$8,085.62 pending the Town Manager's discussion with MMA regarding existing laws preventing the Town from doing so.

Mr. Rolfe questioned legalities of issuing a deed back to the bank when the Town has already foreclosed on the property and since the Town followed the foreclosure process which allowed the property owner an ample time period to act before losing his property. Ms. Johnson-Rolfe commented that she does not want to see problems crop up in the future if comparable situations occur in which property owners lose their property due to non-payment of taxes/sewer charges and believe they can get their property back after the foreclosure procedure has run its course.

B. Ms. Therrien advised the Board they have copies of the list of proposed 2018 state valuations for Washington County municipalities, copies of the school committee agenda and minutes, and a transfer station billing report.

C. Ms. Therrien reported on progress at the airport - placement of the septic tank/leach field, placement of the slab for the airport building, and work on the airport road. Ms. Therrien explained that she is looking at placing the perimeter fence in such a way as to keep vehicles off the apron and runway as well as using large rocks to limit inappropriate access.

D. Ms. Therrien reported that she met with MDOT on the drainage problem at the recreation area near the tennis courts.

E. Mr. Bob Berta complained that he had requested materials at the Board's last meeting but was not provided with all of the warrants as he requested. Ms. Therrien responded that Mr. Berta was provided with the warrant the Board signed during the meeting which he requested.

Mr. Berta said that he had asked for copies of everything Mr. Kitchen was given at the meeting but that he was not provided with these documents. Mr. Rolfe explained that people making requests for documents specifically need to request the documents they want copies of. He added that the Board will not provide a blanket file of documents to anyone. Mr. Berta said that he would call the attorney general's office to make a complaint under the Freedom of Information Act. Ms. Johnson-Rolfe explained that people have to be specific as to the documents they are requesting under the Freedom of Information Act.

On a motion by Josh Rolfe, seconded by Paula Johnson-Rolfe, the Board voted to adjourn the meeting at 6:55 PM.