

BOARD OF SELECTMEN - TOWN OF MACHIAS

MAY 25, 2016

PUBLIC HEARING ON LIQUOR LICENSE APPLICATION
THIRSTY MOOSE CAFE

A public hearing was called to order at 6:00 PM by Chairman Aubrey Carter on a liquor license application submitted by R&J Maine Enterprises LLC for the Thirsty Moose Cafe located on Main Street. In attendance were Board members Warren Gay, James Whalen, Leslie Haynes, and Josh Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; Sylvia Pouliot, Susan Wright, Cat Cannon.

Mr. Carter explained that the purpose of this public hearing was to allow the public the opportunity to speak for or against the issuance of a liquor license for the Thirsty Moose Cafe. Mr. Carter asked for comments from the public. Ms. Therrien commented that she was glad to see a business opening back up again in Machias. Mr. Carter asked the owner, Sylvia Pouliot, if she had heard from the State regarding the application to serve food at the business. Ms. Pouliot said the State had not provided a response as of tonight's meeting but that the application had only been submitted a few days ago..

Hearing no other comments from the public, Mr. Carter closed the public hearing at 6:02 PM.

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:02 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; Town Clerk Sandra Clifton; Sylvia Pouliot, Susan Wright, Cat Cannon, Bob Berta.

1. MINUTES - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the May 11, 2016 Board meeting.

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #93 in the amount of \$10,385.92; to approve municipal warrant #94 in the amount of \$370,165.63; to approve municipal warrant #95 in the amount of \$20,900.50; and, to approve municipal warrant #96 in the amount of \$225,952.59 .

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

VOTED:

To approve school warrant #48 in the amount of \$207,606.33 .

3. APPOINTMENT PAPERS FOR BOARD SIGNATURES

The Board signed appointment papers for the members of the Machias Cemetery Association who were appointed at the Board's last meeting (Daniel Scott, Gail Sprague, Mike Gooch, Jonathan McClure, Alfred Andrews, Cat Cannon, and Christina Therrien).

4. LIQUOR LICENSE APPLICATION - THIRSTY MOOSE CAFE

The Board voted on a liquor license application submitted by R&J Maine Enterprises LLC.

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

VOTED:

To approve a liquor license to R&J Maine Enterprises LLC for the Thirsty Moose Cafe.

5. REQUEST FROM TOWN OF NORTHFIELD

Ms. Therrien noted that a selectman from the Town of Northfield visited her at the Machias Town Office and asked if the Town of Machias would be interested in doing registrations for Northfield (100-150 registrations). Town Clerk Sandra Clifton advised the Board that Northfield residents already come to Machias to register their ATVs and trailers; she noted that Machias gets the agent fees for registrations. Ms. Therrien explained that the same Northfield selectman contacted her again and asked if Machias would be willing to collect Northfield property taxes, as well. Ms. Clifton pointed out that coming to Machias for these services would be a convenience for Northfield residents since the Machias Town Office is open five days a week. Ms. Therrien noted that Northfield is interested in Machias performing these tasks since there is a better schedule for services (as opposed to two days per week in Northfield) and for cost savings.

The Board discussed collecting property taxes for the Town of Northfield. Mr. Carter suggested performing some research before making a decision to provide this service and Ms. Therrien said that she was unprepared to make a recommendation until she looks into the feasibility of performing this service. Ms. Therrien suggested that Machias initiate a one year trial period on issuing registrations for Northfield and to perform some research into collecting Northfield's property taxes.

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

VOTED:

To offer to provide the service of processing registrations for the Town of Northfield on a trial basis from 7/1/16 to 6/30/17 for the fee of \$1500. with Machias retaining the agent fees.

The Board discussed compensating personnel in the Machias Town Office for the additional work required due to the addition of these responsibilities. Ms. Therrien noted that the Board needs to take into consideration all the costs associated with personnel performing this work.

On a motion by Aubrey Carter, seconded by Warren Gay, the Board

VOTED:

Dependent upon the Town of Northfield's acceptance of the proposal to process registrations at the Machias Town Office, to use the fees to compensate personnel in the Machias Town Office.

6. RESIGNATION FROM THE PUBLIC WORKS DEPARTMENT

Ms. Therrien advised the Board that the Public Works Director has advised her of Norman Roberts' verbal resignation from his position with the Public Works Department. The Board discussed accepting the verbal resignation; Mr. Carter said that he hoped that Mr. Roberts could put the resignation in writing.

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

VOTED:

To accept the verbal resignation of Norman Roberts from his position in the Public Works Department.

7. ADDITIONS TO ROSTER - MACHIAS FIRE DEPARTMENT

The Board reviewed a letter from Fire Chief Joey Dennison requesting the addition of Cat Cannon and Clifford Strout to the volunteer roster of the Machias Fire Department.

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

VOTED:

To add Cat Cannon and Clifford Strout to the volunteer roster of the Machias Fire Department.

The Town Manager and the Board discussed the fit-for-duty standards discussed at a previous Board meeting. The Board discussed what should be established as a fit-for-duty requirement. Mr. Rolfe commented that he was in favor of following the recommendations of the MMA; he said that he thought a basic physical would be satisfactory to meet the fit-for-duty requirement. After rediscussing the fit-for-duty requirement, the Board decided that a standard physical examination and statement from a doctor would meet the fit-for-duty requirement for fire department and ambulance service members.

8. "TOO GOOD TO TOSS" PROPOSAL LETTER

Ms. Therrien reviewed a letter received from Susan Wright regarding establishing a "too good to toss" policy at the transfer station for items which could be reused by

someone else. Ms. Wright explained that she envisions being able to put reusable items aside in an area at the transfer station allowing people an opportunity to retrieve useful items. Mr. Rolfe said that he would like to discuss this with transfer station personnel before making a decision. The other members of the Board agreed with Mr. Rolfe's suggestion to seek additional information and input.

9. YEAR-END LOSING OF TOWN BOOKS

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

To close the Machias Town Office on June 30, 2016 in order to allow personnel to perform end-of-year paperwork.

10. REPORT ON TAX-ACQUIRED PROPERTY - 24 GARDNER AVENUE

Mr. Rolfe reported that there is a substantial amount of refuse/trash in the house located at 24 Gardner Avenue; he noted that there is really nothing of value in the home. Mr. Rolfe suggested looking into costs to demolish the building. He also noted that the only item of value at the site is the granite stone. Mr. Rolfe added that he would like to be able to go back into the building one more time to take another look around. The members of the Board discussed options. After discussing options, the Board made the decision to go out to bid for the demolition of the building; the Board outlined that the entire structure should be removed, the lot returned to grade, and to remove the non-boundary trees. Mr. Carter added that it would be important to identify the property lines of the lot. Mr. Rolfe cautioned that it is important that trees not be removed that actually help establish the boundary lines. As to the question of disposal of demolition debris, the Board outlined that material from the demolition would need to be disposed of by the contractor who is awarded the demolition bid and, also, that proof of liability insurance would need to be documented by the contractor. Mr. Carter asked that these demolition bids be opened at the Board's June 22nd meeting.

11. REPORT ON COMMUNITY PRIDE CLEAN-UP DAY

Mr. Whalen suggested that letters of appreciation be drafted for participants in the community clean-up day. Mr. Rolfe suggested that there be more planning prior to the scheduling of next year's event. Mr. Whalen stated that the appearance of the town is a concern; he suggested looking into drafting a policy that addresses the accumulation of garbage/trash on properties with such a policy to outline personnel, inspection, and enforcement. Mr. Rolfe questioned if Machias has an ordinance in place addressing the issue of trash accumulation; he added that the Board could establish guidelines for the code enforcement officer to follow when addressing situations of garbage/trash accumulation. Ms. Therrien suggested examining a property maintenance ordinance on a future agenda which would be an effort to address this type of problem.

12. PROPOSED MUNICIPAL PURCHASING POLICY

The Board reviewed the proposed purchasing policy drafted with changes recommended by the Board.

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

VOTED:

To adopt the municipal purchasing policy as presented.

13. TOWN MANAGER'S REPORT

A. Ms. Therrien reported to the Board that she received a telephone call from Pam Reardon, former owner of a house located at 8 Berry Avenue, regarding a small claims filing for sewer charges. Ms. Therrien noted that the Town is seeking \$1300. in unpaid sewer charges. The Board discussed the background for this small claims filing with Ms. Therrien. After reviewing the history, Mr. Rolfe suggested that the Board allow the small claims judge to make a ruling on the documentation provided by the Town of Machias regarding the claim. The other members of the Board agreed to proceed with the claim.

B. Ms. Therrien advised the Board that they have copies of the following for their review:

- a letter from Machias Memorial High School regarding award of the 2016 Howard DeShon Memorial Scholarship
- a notice from the Machias Water Company regarding fire hydrant testing
- the monthly operations report for the Machias pollution control facility
- a notice from Maine Wild Blueberry Company on their application for a cold storage facility
- information on overtime for white collar workers (Ms. Therrien noted that the Board would need to consider how these new guidelines would impact two town employees)

C. The Board signed appointment papers for Cat Cannon and Clifford Strout who were added to the Machias Fire Department volunteer roster.

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

VOTED:

To appoint the Town Manager as Health Officer.

Ms. Therrien advised the Board that she would have to receive training to be certified as municipal health officer. Mr. Rolfe suggested that if and when the Board appoints a separate health officer that the town manager continue to be trained as a back-up person.

14. UPDATE ON AIRPORT ACTIVITIES

Mr. Whalen advised the Board of the airport committee's recommendation for a \$7500. warrant article starting in 2017 to pay for the Town's matching funds for FAA approved capital projects.

Ms. Therrien noted that a repair bid was accepted on the beacon/windsock, the Town is waiting on the completion of repairs to the airport building, and she outlined the need to cut alders at the airport. Ms. Therrien congratulated the volunteers for being recognized as the Bay Area Chamber of Commerce's volunteers of the year.

Mr. Whalen reported that the volunteers are trying to hook up the lights at the airport.

15. OTHER BUSINESS

A. Mr. Whalen advised the other members of the Board that he contacted a contractor who provides camera surveillance services; he reported that the contractor will be coming to Machias one day in June to survey the town for options and to provide a price for the service.

B. Mr. Bob Berta questioned the use of the town's logo on a letter soliciting funds for a non-profit organization. Ms. Therrien pointed out that this effort is aimed at trying to raise money for completion of a nature trail on behalf of Healthy Acadia. Mr. Berta argued that the person who is soliciting for the funds works for Healthy Acadia but is asking for contributions for the Machias revitalization effort. Mr. Berta claimed that this activity violates IRS guidelines for non-profits. Mr. Rolfe suggested that the Board ask for an opinion from the town's attorney.

Mr. Berta objected to the scheduling of a March 28th meeting for which the press was not notified.

16. EXECUTIVE SESSION

On a motion by James Whalen, seconded by Warren Gay, the Board

VOTED:

To adjourn to executive session at 7:50 PM in order to discuss a personnel matter concerning the evaluation of the Town Manager in accordance with M.R.S.A. Title 1 ss405 Personnel.

On a motion by James Whalen, seconded by Warren Gay, the Board

VOTED:

To adjourn the executive session at 8:09 PM and reconvene into open session.

On a motion by Warren Gay, seconded by Leslie Haynes, the Board voted to adjourn the meeting at 8:11 PM.