

PUBLIC HEARING - SEPTEMBER 14, 2016

LIQUOR LICENSE APPLICATION

SODEXO AMERICA LLC

Machias Board of Selectmen Chairman Aubrey Carter called a public hearing to order at 6:00 PM to receive and listen to public comments, questions, and concerns regarding the submission of a liquor license application by Sodexo America LLC.

Attending the hearing in addition to Chairman Carter were Board members Warren Gay, James Whalen, Josh Rolfe, and Leslie Haynes; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; Neil Wright, Matthew Ensworth, Cat Cannon, Danny Manchester, Ed Pellon.

Mr. Matthew Ensworth introduced himself to the Board as the company's representative and explained that Sodexo America is the company which is now the provider for food services at the University of Maine at Machias. He advised the Board that the company was awarded a five year contract to provide food services effective 7/1/16. Mr. Ensworth explained that he had applied for a temporary liquor license to provide liquor service offsite on Saturday 9/17/16 as well as submitting an application for a regular liquor license.

Hearing no further comments or questions from the public, Mr. Carter closed this public hearing at 6:05 PM.

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BOARD OF SELECTMEN - TOWN OF MACHIAS

SEPTEMBER 14, 2016

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:05 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; Neil Wright, Ed Pellon, Matthew Ensworth, Cat Cannon, Danny Manchester.

1. MINUTES - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the August 24, 2016 Board meeting.

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the September 7, 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 #18 in the amount of \$3,976.47; to approve municipal warrant #19 in the amount of \$13,659.89; to approve municipal warrant #20 in the amount of \$177,142.15; to approve municipal warrant #21 in the amount of \$9,854.01; to approve municipal warrant #22 in the amount of \$62,717.30; to approve municipal warrant #23 in the amount of \$15,051.91; and, to approve municipal warrant #24 in the amount of \$936,447.30 .

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

To approve school warrant #10 in the amount of \$261,088.66 .

## 3. APPLICATION FOR LIQUOR LICENSE - SODEXO AMERICA LLC

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

To approve an offsite liquor license permit for Saturday 9/17/16 and a regular liquor license for Sodexo America LLC.

## 4. BID OPENING - 50 YARD MUNICIPAL SOLID WASTE CONTAINER

Ms. Therrien noted that one bid was received on the advertised sale of an old municipal solid waste container located at the transfer station.

Bid: Jerrold Wood & Son LLC - \$476.00

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

To award the bid for the purchase of the solid waste container to Jerrold Wood & Son LLC in the amount of \$476.

## 5. BID OPENING - FUEL OIL

Members of the Board opened the bids received on the purchase of heating oil.

Bids: Dead River - \$1.6669/gallon  
R.H. Foster - \$1.7390/gallon  
Frasier Energy Solutions LLC - \$1.4680/gallon

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

To award the bid for the purchase of heating oil to Frasier Energy Solutions LLC for \$1.4680 per gallon.

## 6. DOWNEAST COASTAL CONSERVANCY

Ms. Therrien advised the Board that Mr. Rich Bard could not attend tonight's meeting; she explained that she will place this item on the Board's next meeting agenda.

## 7. TELEBUSINESS CENTER AIR BALANCING REPORT

Ms. Therrien advised the Board that the air balancing company is currently working on the project at the telebusiness center and that the Board has a copy of a letter from Maine Air Balance for their review regarding recommendations.

## 8. VOTING CREDENTIAL FOR MMA BUSINESS MEETING

Ms. Therrien explained that the Board can designate someone to cast the Town's vote at the Maine Municipal Association's annual business meeting. After a short discussion regarding the vote, the members of the Board authorized the Town Manager to place the town's vote on behalf of the Town.

## 9. WHCA LETTER REGARDING FRANCIS MCKEAN PROPERTY

Mr. Carter explained that at the Board's last meeting the Board reviewed a request from Mr. Francis McKean for a sewer abatement. He noted that after discussing the request at length, the Board denied the request for abatement. Mr. Carter called the Board's attention to a letter from WHCA requesting an adjustment to Mr. McKean's sewer bill. Mr. Neil Wright, speaking on behalf of Mr. McKean, asked that the Board reconsider their decision since the water was used for Mr. McKean's garden. Members of the Board pointed out that the water was used for Mr. McKean's garden and that he has a commercial greenhouse business. Mr. Carter noted that the Board recommended that a separate water meter be installed to monitor the amount of water being used for the garden since there is no other way to determine how much water is being used specifically for this purpose. Mr. Wright stated that it is WHCA's intent to install a water meter for Mr. McKean. It was noted that Mr. McKean currently owes \$1706.34 in sewer charges. Mr. Pellon pointed out that the Board had negotiated with the owner of the trailer park to reduce that bill; he suggested that a similar negotiated amount could be agreed to. Mr. Carter explained that the amount of water going through the trailer park was an egregious amount totally out of proportion to what had been historically used at the park. Mr. Rolfe stated that if a water meter was installed as a step in addressing the problem the Town would then be assured that the problem has been taken care of; he added that the meter does need to be installed. It was also noted that the Machias Water Company did not abate their bill for water usage.

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

To abate a sewer bill for charges on property owned by Francis McKean in the amount of \$1706.34 based on the promise of the installation of a water meter within the next thirty (30) days to prevent this problem from occurring again.

#### 10. REQUEST TO HUNT ON AIRPORT PROPERTY

Ms. Therrien advised the Board of a request to hunt ducks/geese on airport property. Mr. Gay commented that he did not realize there was a problem with the number of ducks and geese around the airport. Mr. Rolfe explained that there are a few of these birds around the airport. Mr. Rolfe added that at the airport committee's last meeting this issue was discussed and the general consensus was that the committee members have no issue with allowing hunting on airport property. Mr. Gay cautioned that hunters on airport property need to be safety conscious. Ms. Therrien said that the airport property would be marked clearly with a safety zone. Mr. Rolfe suggested that hunters be required to obtain permission from the Town Manager. Mr. Manchester pointed out that there will be a need to patrol the airport to make sure that people abide by the marked off area.

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

To allow hunting on town property with written permission from the Town Manager provided that hunters adhere to all State hunting laws.

#### 11. REQUEST BY ANIMAL CONTROL OFFICER TO CONSIDER ORDINANCE

Ms. Therrien explained that state law does not control barking dogs and the Animal Control Officer wants to look at an ordinance addressing this issue. She pointed out that the ACO has provided an example of such an ordinance obtained from the City of Calais. Mr. Carter recommended that consideration of such an ordinance should be added to the Board's ordinance review work session.

#### 12. NOTICE FROM AROOSTOCK MENTAL HEALTH - LEASE TERMINATION

Ms. Therrien advised the Board that Aroostock Mental Health has officially notified the Town of Machias of their intent to vacate the tele-business center on 10/31/16. Mr. Carter commented that the repairs to the building need to be completed as soon as possible so that the building can either be sold or leased to new tenants.

#### 13. REQUEST TO ATTEND TRAINING BY DR. WHALEN

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

To allow Board member James Whalen to attend a "Verbal Judo" training in Augusta.

#### 14. REQUEST TO CLOSE TOWN OFFICE ON NOVEMBER 8TH FOR ELECTION DAY

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

To close the Machias Town Office to regular business on election day, November 8, 2016, to allow town office personnel to assist with election activities.

#### 15. SEWER LIEN FORECLOSED PROPERTIES

Ms. Therrien advised the Board of six properties which the Town has officially foreclosed upon due to non-payment of sewer charges. She reviewed the properties and the outstanding charges due on each property.

- A. 22 Gardner Avenue - \$2753.40 in outstanding taxes (3 years) & \$1129.39 in outstanding sewer
  - B. 105 Dublin Street - \$1024.36 in outstanding sewer & outstanding property taxes (3 years)
  - C. 24 Broadway - \$650.40 in outstanding sewer & \$1773.00 in outstanding property taxes (1 year)
  - D. 12 Cooper Street - \$1386.41 in outstanding sewer & \$2014.86 in outstanding property taxes (1 year)
  - E. 38 West Street - \$745.75 in outstanding sewer & \$4112.52 in outstanding property taxes (3 years)
  - F. 7 Free Street - \$1747.79 in outstanding sewer & \$4542.00 in outstanding property taxes (3 years)
- Also - 7 School Street has a court payment agreement with owner of property currently paying down debt

Ms. Therrien advised the Board that she would be discussing with an attorney on how to proceed with dealing with tenants living in foreclosed rental properties. She also noted that mortgage companies for two of the foreclosed properties (24 Broadway and 12 Cooper Street) want to pay the outstanding taxes and sewer charges; she recommended that the Board consider allowing the mortgage companies to pay the outstanding charges.

#### 16. MACHIAS WATER COMPANY STOCK PURCHASE PROPOSAL

Ms. Therrien informed the Board of a offer from James Learned (President of the Machias Water Company) to purchase the water company shares owned by the Town of Machias. Ms. Therrien noted that Mr. Learned is offering to purchase the shares for \$250. per share for the Town's 46% ownership of the company (212 shares). Mr. Whalen reviewed the audited value of the shares - he pointed out that the audited value of the stock is \$509,000. placing a value on each share of \$2400. Mr. Whalen noted that because the Town owns these shares it is a fact that the municipality can apply for federal programs and is eligible for federal grants not open to a privately held company. The Board discussed the stock purchase offer.

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

To respond to the offer of the purchase of the Town's shares in the Machias Water Company that the Town is not interested in selling its shares at the present time.

## 17. TOWN MANAGER'S REPORT

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

- a copy of the CSO master plan
- a thank-you notice on the annual blueberry festival
- a notice on the town's MMA dividend (MMA Property & Casualty Pool)
- copy of transfer station billing activity
- copy of an e-mail from the Code Enforcement Officer regarding the Nash property on Main Street (Ms. Therrien briefly updated the Board that the owner of the property would be coming to town this weekend to look at what repairs the building is in need of).

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to adjourn the meeting at 7:00 PM.