

Note: Before beginning the meeting, those assembled stood and recited the Pledge of Allegiance.

## **BOARD OF SELECTPEOPLE - TOWN OF MACHIAS**

**MAY 11, 2022**

A meeting of the Machias Board of Selectpeople was called to order at 6:02 PM by Chairman Paula Johnson-Rolfe. In attendance were Board members Leslie Haynes, James Jackson, Sandra Sinford, and Carole Porcher; Town Manager Bill Kitchen; Secretary Cathy Lord; Police Chief Keith Mercier; Code Enforcement Officer Kevin Brodie; Robert Boggia, Sylvia Pouliot, Ben Edwards.

### **1. MINUTES - REVIEW AND ACTION**

On a motion by Sandra Sinford, seconded by Carole Porcher, the Board voted to approve the minutes of the April 13, 2022 Board meeting. Note: Under Item #9A, the spelling of Eastport should be corrected.

### **2. WARRANTS - REVIEW AND ACTION**

On a motion by James Jackson, seconded by Sandra Sinford, the Board  
VOTED:

To approve municipal warrant #92 in the amount of \$21,495.77 and to approve municipal warrant #94 in the amount of \$13,512.03 .

On a motion by Sandra Sinford, seconded by James Jackson, the Board  
VOTED:

To approve municipal warrant #91 in the amount of \$72,761.00; to approve municipal warrant #93 in the amount of \$736,962.58; and, to approve municipal warrant #95 in the amount of \$26,984.61 .

On a motion by James Jackson, seconded by Sandra Sinford, the Board  
VOTED:

To approve school warrant #50622 in the amount of \$322,392.22 .

### **3. BID OPENINGS - TAX-ACQUIRED PROPERTIES**

Ms. Johnson-Rolfe explained that the bid opening for tax-acquired properties will be tabled. She noted that that the Board is obligated to adhere to municipal written policy for selling tax-acquired property; she noted that time and notification guidelines need to be strictly adhered to necessitating that the Board table the bids that have been received. Ms. Johnson-Rolfe advised that received bids will not be opened at this meeting but will be held until the bid opening is placed on a future Board agenda. Ms. Johnson-Rolfe said that the property list will be re-advertised and any received bids will be held unopened. Mr. Kitchen told the Board that he accepts all responsibility for the mistake and he apologized to the Board; he explained that there was no negative intent on his part. Mr. Kitchen explained that the Board had adopted a policy on 10/24/18 outlining notification to other property owners regarding the sale of tax-acquired property. Ms. Johnson-Rolfe noted that selling tax-acquired property will be dictated by current municipal policy thereby giving proper notice to all parties and allowing any interested person to bid. She added that the Board will be up-front and will conduct the sale in an open and fair process dictated by municipal policy. Ms. Johnson-Rolfe noted that the bid opening will be placed on the Board's next agenda.

#### **4. MUNICIPAL RELEASE DEED**

Mr. Kitchen explained that in 1973 deed paperwork was not completed on property located at Tax Map #5 Lot #51B and the Board is being asked to sign a municipal release deed on the property.

On a motion by Carole Porcher, seconded by Sandra Sinford, the Board  
VOTED:

To sign a municipal release deed for property located at Tax Map #5 Lot #51B to Dublin Street Solar LLC.

#### **5. MEDICAL MARIJUANA APPLICATION**

Mr. Kitchen advised the Board that Mr. Robert Boggia has submitted a complete application and paid the application fee for a medical marijuana storefront to be located on Main Street. He added that Mr. Boggia has met with and satisfied the requirements of the Machias Planning Board and that he has met with the Town's Code Enforcement Officer, Mr. Kevin Brodie. Mr. Kitchen noted that Mr. Boggia has recently completed purchase of the property on Main Street and that he has notified his abutters of his intent to establish a medical marijuana dispensary in the building.

Ms. Porcher shared her concerns regarding the application. She expressed her concerns regarding Mr. Boggia's previous medical marijuana business which was located across the street. Ms. Porcher asked Mr. Boggia if he had been cleared of legal charges. Mr. Boggia said that he has met all legal requirements and that there are systems in place to avoid any future problems. Mr. Boggia said that he understands Ms. Porcher's concerns but that he wants to have a positive impact in Machias. He told the Board that he will be creating jobs and will not allow people to just "hang out" in front of the business. Mr. Kitchen commented that there are also concerns about this business being in the middle of the historic town. Mr. Boggia told the Board that he has roots in the area and he wants to make a positive contribution to the town. Regarding the location of his business, Mr. Boggia pointed out that there is a marijuana dispensary just up the street as well as there being three others in town but that he does understand the concern. Mr. Boggia told the Board that he will not be using any large marijuana flags and that his business will "not stand out like a sore thumb". He added that the building does need some work and improvements will be made to the building. Ms. Johnson-Rolfe pointed out that there were many complaints about Mr. Boggia's marijuana storefront on the other side of the street; she told Mr. Boggia that the Board does not want to see these kinds of problems at his new business. Mr. Kitchen told the Board that he and Mr. Boggia have had quite a few conversations and that Mr. Boggia has given his word to make his best efforts with this new business. Mr. Boggia told the Board that he wants to benefit the community.

On a motion by Carole Porcher, seconded by Sandra Sinford, the board  
VOTED:

To approve the medical marijuana application submitted by Robert Boggia.

Vote On Motion: 4 votes supporting the motion; 1 vote opposing the motion (Mr. Jackson)  
Motion Passed 4 to 1

Ms. Johnson-Rolfe cautioned the Board that the Board cannot deny an application for medical marijuana businesses without a valid reason for denial. Mr. Kitchen added that the Board is guided by a policy decided upon by the voters:

#### **6. POLICE DEPARTMENT UPDATE**

Chief Mercier advised the Board that he has found a vehicle that meets the police department's needs which can be purchased for \$8000. less than the lowest bid submitted to the Board when bids were solicited.

Chief Mercier reported that the police department had collected 69+ pounds of old prescription drugs.

Chief Mercier reported on preparations for the Memorial Day parade on May 30th. He reported that the parade will be fully staffed with police officers.

Chief Mercier advised that May 15th to May 21st is National Police Week.

## **7. OTHER BUSINESS**

A. Mr. Kitchen advised the Board that the federal government will be observing a new holiday this year, Juneteenth, which will be observed on June 20th. Ms. Johnson-Rolfe pointed out that this creates a complicated situation. She pointed out that there is a union contract that needs to be considered. Ms. Johnson-Rolfe said that the Board wants to treat all employees fairly and this brings up the question of allowing some employees to have the day off while other employees who provide essential services cannot be given the day off. Ms. Porcher also pointed out that the Town had not budgeted for this holiday. Mr. Jackson pointed out that the Town needed advance notice that this was going to happen and time to plan for the holiday. Ms. Johnson-Rolfe noted that one option is to allow employees to take the day off and use their accumulated leave time. Mr. Kitchen commented that there is a need to gather further information. Ms. Johnson-Rolfe noted that the Board needs to look at how many personnel are impacted.

B. Mr. Kitchen noted that the Rose Gaffney Elementary School roof replacement was approved. He advised the Board that \$306,592. will be forgiven and that the Town's repayment obligation is \$148,158. (Total funding of the project is \$454,750.)

On a motion by Sandra Sinford, seconded by Carole Porcher, the Board  
VOTED:

To authorize \$454,750. school revolving renovation fund financing be approved in form presented to this meeting and that the Clerk file an attested copy of said vote with the minutes of this meeting.

C. Mr. Kitchen noted that a few years ago the Board and the Town Manager had started work on an adult use marijuana ordinance. He advised the Board that he had been approached by a party interested in growing/farming marijuana to sell for adult use. Mr. Ben Edwards divulged to the Board that he is interested in farming marijuana to sell to dispensaries in southern Maine. Ms. Johnson-Rolfe noted that a workshop would need to be scheduled for the Board to work on an ordinance. Mr. Edwards said that he was interested in assisting the Board in whatever way possible. Ms. Johnson-Rolfe said that the initial step is to conduct a workshop where the Board can work on an adult use ordinance and then meet with citizens to gather comments.

D. Mr. Kitchen told the Board that the floodwall project, the dike project, the Schoppee marsh project, and the upgrades to the wastewater treatment system all will eventually meet together in a coordinated effort for the Town's future. He advised the Board that he had applied for a community resiliency grant and that the Town has been awarded \$45,000. (no match from the Town). The members of the Board applauded Mr. Kitchen's work in the grant acquisition.

E. Mr. Kitchen advised the Board that efforts are underway in the system-wide wastewater treatment upgrade which includes installation of a siphon pump on this side of Town. Mr. Kitchen advised the Board that he had applied for a grant and that the Town has been awarded a DEP clean water grant from the state revolving loan program in the amount of \$893,589. which means that Machias has been awarded a total of 2.2 million dollars in funding to upgrade the sewer system.

On a motion by Sandra Sinford, seconded by James Jackson, the Board voted to adjourn the meeting at 7:42 PM.