

## BOARD OF SELECTPEOPLE - TOWN OF MACHIAS

SEPTEMBER 5, 2018

A meeting of the Machias Board of Selectpeople was called to order at 4:30 PM by Chairman Josh Rolfe. In attendance were Board members Paula Johnson-Rolfe, Bill Kitchen, and James Whalen; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; Ed Pellon, David Clark, Mary Angarola, Dallas Ward, Sally Ward, James Ackley, Gudrun Franz.

Chairman Rolfe asked for a moment of silence in memory of Mr. Warren Gay, a member of the Board and a former Chairman of the Board.

### 1. MINUTES - REVIEW AND ACTION

On a motion by Paula Johnson-Rolfe, seconded by Bill Kitchen, the Board voted to approve the minutes of the August 22, 2018 Board meeting.

### 2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #17 in the amount of \$19,645.43; to approve municipal warrant #18 in the amount of \$705,586.50; to approve municipal warrant #19 in the amount of \$11,153.63; and, to approve municipal warrant #20 in the amount of \$48,888.83 .

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

To approve school warrant #9 in the amount of \$250,173.10 .

### 3. POLICY ON TAX-ACQUIRED PROPERTY

Ms. Therrien advised the members of the Board that the policy on tax-acquired property has been revised with the amendments made by the Board to the draft copy (Paragraph #1 - forfeiture of payments if there is a violation of the payment arrangement and Paragraph #2 - the CEO will report back to the Board on the condition of the property). Mr. Whalen suggested that mechanic's liens be included in Paragraph #4. Ms. Johnson-Rolfe argued that it would be the buyer's responsibility to deal with this type of lien, not the Town, since the Town is interested in recouping outstanding taxes and sewer charges.

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

To sign the tax and sewer acquired property policy as revised.

#### 4. REQUEST TO OFFER ADJUSTMENT ON AMBULANCE BILL

Mr. Rolfe noted that the Board has reviewed the memo from the Town Manager regarding a letter from an attorney on an outstanding ambulance billing. He noted that it appears that there was a motor vehicle accident and the ambulance bill was not fully paid by the insurance company involved. Ms. Therrien noted that the attorney is asking for a twenty-five percent reduction in the ambulance bill. Mr. Whalen questioned if the lawyer is also reducing his billing by twenty-five percent; he expressed concern that the ambulance service is being asked to absorb the additional cost. Ms. Johnson-Rolfe commented that the amount of information behind this request is very limited. Mr. Rolfe said that this is a premature request to arbitrarily reduce the rate; he pointed out that it seems that the ambulance bill should have been paid first before other bills were paid. Ms. Therrien said that it appears that when the insurance company paid claims there was not enough to cover all the bills.

On a motion by James Whalen, seconded by Bill Kitchen, the Board  
VOTED:

To send a reply regarding Ambulance Bill Call Number 16007 advising that there should be an equitable reduction in all bills including the attorney's bill before the Board authorizes a reduction to the amount owed on this account.

#### 5. TRANSFER STATION COMPACTOR QUOTES

Ms. Therrien advised the Board that she has spoken to all the companies which submitted quotes on the purchase of a new compactor for the transfer station. The Board reviewed the list of quotes. Mr. Pellon questioned if the Board had thought about purchasing a rebuilt compactor. Ms. Therrien explained that it would cost approximately \$17,000. to rebuild the town's old compactor (30 years old). Mr. Dallas Ward asked what the warranty would be on the compactors if a new one was purchased; Ms. Therrien responded that information on warranties was not provided in the quotes. Ms. Johnson Rolfe questioned if a new compactor would fit into the same space; Ms. Therrien advised that the new compactor would fit the town's cans and that she had included this stipulation in the request for quotes. Mr. Whalen questioned if there are used compactors in existence as an alternative to purchasing a new compactor. He noted that the Board should be aware of the warranty on a new compactor. Mr. Whalen added that sometime in the future the Town should consider turning over the transfer station to a private company to operate.

Ms. Therrien noted that the Board had wanted to pursue the purchase of a new compactor. Mr. Pellon suggested talking with someone who knows hydraulics for a recommendation on the feasibility of repairing the old compactor. Mr. Rolfe noted that the Board needs information on warranties on new compactors and if there are any additional service fees outside of the scope of the warranty. He added that the Board can also look at the cost of refurbished compactors. Mr. Rolfe suggested that the Board is not ready at the present time to make a decision on replacing the compactor; Ms. Johnson-Rolfe agreed. Ms. Therrien cautioned the Board on the cost being incurred (\$500.) from the additional trip being made because trash cannot be compacted. Ms. Therrien said that

she would look into the possibility of purchasing a used compactor to fit the current space as well as the installation time associated with a refurbished piece of equipment. Mr. Kitchen added that questions as to the expected useful life of compactors (industry standards) would also be useful information. Ms. Therrien told the Board that she will have this research to share at the Board's next scheduled meeting.

## 6. TRANSFER STATION BUILDING

Mr. Pellon questioned what the Town would be gaining by purchasing a new building and relocating personnel at the facility. Mr. Rolfe responded that this change would allow one person to run the facility if necessary and would also create more revenue from non-contract town residents who would pay a higher rate to use the facility. Ms. Therrien added that it was the consensus of contract towns to offer disposal services to residents of non-member towns who want to use the transfer station for disposal services. Mr. Pellon questioned the number of personnel working at the facility. Ms. Therrien noted that there is one full-time worker plus two part-time workers who have alternate schedules working at the facility. Mr. Rolfe explained that the Board had hoped to have Mr. Farley in attendance to discuss operations with them. Ms. Therrien pointed out that at a meeting of the transfer station member towns there were recommendations to pursue additional revenue by purchasing a new attendant's building and repositioning the building on the property. Mr. Pellon questioned how the costs would be shared; Ms. Therrien explained that the member towns would be billed for the additional costs in their next annual contract. Mr. Pellon protested that other towns were making decisions in Machias. Ms. Therrien noted that she and Mr. Farley were in attendance at the meeting with contract towns where these changes were discussed and agreed upon as a way to attract additional revenue into the facility. Mr. Rolfe reiterated that these decisions were made by all the member towns and that the contract towns agreed to share in the additional costs.

On a motion by James Whalen, seconded by Bill Kitchen, the Board

CONSIDERED THIS MOTION:

To schedule an abbreviated meeting with representatives of contract towns at the Board's first available date to discuss changes at the transfer station.

Vote on Motion: 2 votes in favor of the motion (Mr. Whalen and Mr. Kitchen)

2 votes opposing the motion (Ms. Johnson-Rolfe and Mr. Rolfe)

Motion failed due to a lack of a majority vote (2 votes to 2 votes)

At this time, due to the loud talking emanating from the audience, Mr. Kitchen requested that a member of the audience quiet down so that the members of the Board and the rest of the audience could hear the discussion going on at the Board's table. Mr. Kitchen had to ask this audience member several times to quiet down. Mr. Rolfe asked the members of the audience to stop their side conversations when the Board is discussing a matter since it has become more and more difficult for members of the Board to hear what is being said. Ms. Johnson-Rolfe added that she finds it very difficult to hear and make comments on issues when audience members are talking too loudly. The Board's

secretary noted that it is extremely challenging to hear the members of the Board during meetings when the audience is being too loud. Mr. Rolfe explained that citizens are more than welcome to attend Board meetings but that citizens need to hold their side conversations down during the proceedings. The audience member Mr. Kitchen had addressed, Sally Ward, apologized to the Board and said that she would like to hear Mr. Kitchen offer more perspectives during meetings.

Ms. Johnson-Rolfe pointed out that representatives of contract towns (Marshfield and Whitneyville) had already met, discussed the need to attract new revenue, and recommended that changes be made at the transfer station to attract additional revenue. She added that as a member of the Board she has confidence in the the Town Manager and in the Transfer Station Director.

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

To proceed with making changes at the transfer station as recommended by the contract towns with a total cost of \$9,050.

#### 7. TAX-ACQUIRED PROPERTY - 54 WATER STREET

Ms. Therrien informed the Board that there are two sealed bids and one open bid submitted on the purchase of 54 Water Street (Map11 Lot 45). Mr. Whalen pointed out that the Board now has a policy that the code Enforcement Officer will inspect and report to the Board on the condition of tax-acquired property. He added that there is a point of order since the Board now has a policy on tax and sewer acquired property. Chairman Rolfe said that this it is not a point of order; he pointed out that these bids were submitted before the policy was voted on and that the bids were accepted prior to the policy being ratified. Mr. Whalen commented that if property is condemned the Board should hear from the buyer that the building will be torn down and that the CEO would make a report in accordance with the adopted policy. Mr. Kitchen said that he did not see how this affects the process of selling the property. Mr. Rolfe added that the property was foreclosed on prior to the adoption of the new policy. Mr. Whalen commented that a condemned property can be rehabbed; he noted that he would like an opinion from the CEO on the building located on the property at 54 Water Street. Ms. Therrien pointed out that the building is not condemned. Mr. Rolfe explained that from this point forward the Board can have the CEO look at property and advise the Board.

Ms. Therrien noted that the Board has the legal authority by law to sell the town's interest in this property; she added that a purchaser would be issued a quit claim deed due to the fact that the Town cannot provide a guarantee deed. Ms. Therrien told the Board that the Town received these three offers to purchase the property but that no bids were submitted when the Board had previously publicly advertised the property. Mr. Jimmy Ackley argued that the Town did not really achieve anything by publicly advertising the property and not accepting his offer on the property. Mr. Rolfe explained that the Board wanted to be fair to anyone who wanted to bid on the property which is why the Board advertised the property as one of a group of tax-acquired properties for sale. He noted that it was in the best interest of the Town to allow anyone to bid on the property and to be fair to everyone.

It was the consensus of the Board (Mr. Kitchen, Ms. Johnson-Rolfe, Mr. Rolfe) to open the offers received:

\$11,223.00 - first offer submitted by Gudrun Franz

\$7,000.00 - offer submitted by James and Alice Ackley

\$12,936.00 - second offer submitted by Gudrun Franz

Mr. Kitchen read aloud a letter submitted with the \$12,936.00 offer from Gudrun Franz. Ms. Franz spoke to the Board about her plans to rebar the building.

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

VOTED:

To accept an offer from Gudrun Franz in the amount of \$12,936.00 for the purchase of 54 Water Street which exceeds the minimum amount owed on the property.

Vote on Motion: 3 votes in support of the motion (Ms. Johnson-Rolfe, Mr. Kitchen, Mr. Rolfe)

1 vote in abstention (Mr. Whalen)

Motion was approved

## 8. OTHER BUSINESS

A. Mr. Pellon suggested that the Town paint a crosswalk in front of the new christian school located on Court Street. Ms. Therrien said that she would call the MDOT for permission to do this. Mr. Pellon commented that he had already called the MDOT and was told the the MDOT does not need to give permission for the location of a crosswalk on a state road. Mr. Whalen noted there is a deep concern to keep children safe. Mr. Kichen suggested asking for a school sign for the area. Mr. Rolfe suggested the the Board could also ask the MDOT to extend the school zone from the elementary school and the high school down to the area of the christian school.

B. A citizen asked about the previous suggestion that the Town look into installing LED lighting in streetlights. Ms. Therrien explained that it would cost \$40,000. to \$50,000. to replace the sodium vapor lights. She suggested that the Town could look into grants whenever a grant opportunity presents itself or even starting to place funds in the budget for the changeover.

On a motion by Bill Kitchen, seconded by Paula Johnson-Rolfe, the Board voted to adjourn the meeting at 6:00 PM.