

BOARD OF SELECTPEOPLE - TOWN OF MACHIAS

SEPTEMBER 12, 2018

PUBLIC HEARING

LIQUOR LICENSE APPLICATION - HING GARDEN MACHIAS, INC.

Machias Board of Selectmen Chairman Josh Rolfe called a public hearing to order at 6:00 PM to act on a liquor license application submitted by Hing Garden Machias, Inc. Mr. Rolfe noted that the purpose of this public hearing provides an opportunity for citizens to voice comments, ask questions, and elicit concerns regarding this liquor license application. Ms. Therrien explained that a public hearing must be conducted because a pre-existing business has been sold to another owner and, therefore, this is considered a new liquor license and under the town's ordinance a public hearing on the application is required. Hearing no comments, questions, or concerns from the public on the liquor license application, Mr. Rolfe closed this public hearing at 6:02 PM.

PUBLIC HEARING

PROPOSED MAINE GENERAL ASSISTANCE ORDINANCE APPENDICES A-D

Chairman Rolfe called a public hearing to order at 6:02 PM to provide opportunity for citizen comments and questions regarding the State of Maine proposed General Assistance Ordinance appendices A to D. Town Manager Christina Therrien explained that these are the allowable rates being proposed by the State when applicants are applying for general assistance. Chairman Rolfe asked for comments from the public. Hearing no comments from the audience, Mr. Rolfe closed the hearing at 6:03 PM.

BOARD MEETING

A meeting of the Machias Board of Selectpeople was called to order at 6:00 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; Dalton Farley, Ed Pellon, David Clark, Mary Angarola, Dallas Ward, Sally Ward.

Mr. Rolfe announced that there will be a memorial service for Mr. Gay on September 23rd at 1:00 PM at the Longfellow Cemetery. Ms. Therrien suggested that the Board make a donation to the veteran's activity fund at the Machias Veteran's Home in Mr. Gay's memory. The Board discussed the amount of the donation and after a short discussion it was the consensus of the Board to make a donation of \$100. in Mr. Gay's name.

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 September 5, 2018 Board meeting with the underlined correction:

Item #7, Paragraph #1 should be corrected to read: "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. Rolfe commented that a condemned property can be rehabbed. Mr. Whalen said that he would like an opinion from the CEO on the condition of 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."

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #21 in the amount of \$14,094.20 and to approve municipal warrant #22 in the amount of \$900,119.50 .

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

To approve school warrant #11 in the amount of \$260,792.86 .

Ms. Therrien reminded the members of the Board to stop in at the town office weekly to sign warrants.

3. GENERAL ASSISTANCE APPENDICES

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

To adopt the proposed Maine General Assistance Ordinance Appendices A-D.

4. LIQUOR LICENSE APPLICATION - HING GARDEN MACHIAS, INC

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

To approve a liquor license application submitted by Hing Garden Machias, Inc.

5. SCHOOL RESOURCE OFFICER - SCHOOL SUPERINTENDENT

Mr. Scott Porter discussed the status of the hiring of a school resource officer with the Board. He explained that the school department had budgeted and advertised the position but were initially unsuccessful in finding a qualified applicant. Mr. Porter noted that the Town Manager suggested hiring a part-time police officer to fill the position. Mr. Porter advised the Board that the position was offered to Mr. Bill Sternberg; he noted that there will be a memo of understanding between the Town, the Machias Police Department, and the Machias School Department which will include the understanding that the resource officer will be supervised by the Chief of Police. Mr. Porter noted that the position was budgeted at a total of 1040 hours (approximately 6 hours per day). Mr. Porter said that he hopes Mr. Sternberg could start next week and that training commence as soon as possible. Mr. Porter commented that the school department is looking forward with having Mr. Sternberg working at both the elementary school and high school. Ms. Therrien noted that she will speak with Chief Dwelley about the position.

Mr. Porter said that he wanted to make the Board aware that the Machias School Department is working on sharing education services through a grant program with SAD #37 in the form of additional vocational programming. He advised the Board that Machias received an additional \$230,000. from State funding to support vocational programs which will allow current offerings in vocational education to expand from four programs to eight programs.

6. REQUEST FOR SEWER ABATEMENT (MAP 015 LOT 056)

Ms. Therrien reviewed the request for a sewer abatement that the Board previously discussed at their last meeting. She noted that the request from Lisa Seeley asks for the abatement due to the fact that a tenant's faucet in a rental unit was leaking which resulted in the sewer bill doubling. Mr. Rolfe noted his concern that in the past the Board has abated sewer bills when leaks occurred outside the sewer system and water was going directly into the groundwater; he pointed out that the leaking water in this case was processed through the sewer system and was treated which is an entirely different situation than has been previously addressed in other requests in which the leaks bypassed the sewer system. Mr. Kitchen agreed with Mr. Rolfe's summary; he pointed out that in this situation there was a leaking faucet and the water went into the sewer system. Mr. Rolfe noted that the property owner would need to prove that the water did not go into the sewer for the Board to consider an abatement. It was the consensus of the Board to deny this request for a sewer abatement.

7. CLOSURE OF TOWN OFFICE FOR MOSES TRAINING

Ms. Therrien advised the Board that the Town Clerk and Deputy Town Clerk need to attend MOSES training on September 19th; she informed the Board that this training provides instruction in processing Department of Inland Fish & Wildlife registrations and licenses. Mr. Whalen commented that the timing of this request is very short notice. Ms. Therrien explained that when trainings are announced Town Office staff need to take advantage of opportunities. Ms. Johnson-Rolfe asked that notification be posted on the front door of the town office in advance of the training. Mr. Rolfe suggested that notice be posted on the town's website and Facebook page with the explanation that this is a day-to-day operational situation in which the training opportunity must be taken advantage of when offered by the State of Maine. Ms. Therrien explained that she and the Finance Director would be in the Town Office working on this day but that it would be impossible to offer services that the Town Clerk and Deputy Town Clerk complete for citizens.

8. TRANSFER STATION COMPACTOR

Mr. Rolfe noted that at the Board's last meeting the Town Manager was asked to research the option of purchasing a used compactor and the warranty that would come with a used machine. Ms. Therrien reviewed her compiled research of used compactors and related costs such as warranty, hourly rate to work on repairs, installation price, and delivery costs; she noted that only one company provided a quote on a used compactor - Valley Company. Mr. Rolfe asked Mr. Farley what he would recommend for purchase. Mr. Farley recommended purchasing a new compactor from Valley Company which would meet current needs at the transfer station.

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

To purchase a new compactor, a Marathon RU 550, from Valley Company for the purchase price of \$40,896. installed.

Mr. Whalen commented that the Town may not be in the trash business within the next five years. The Board discussed funding the purchase of the compactor. Ms. Therrien explained that the purchase cost would be allocated from the transfer station account and would be documented as a shortfall in the account.

On a motion by James Whalen, seconded by Josh Rolfe, the Board
VOTED:

To put aside \$1000. into a fund for depreciation of the transfer station compactor.

Vote On Motion: 0 votes in support of motion

3 votes opposing the motion (Ms. Johnson-Rolfe, Mr. Kitchen, Mr. Rolfe)

1 abstaining vote (Mr. Whalen)

Motion Failed by vote of 0 to 3 with one abstention

Ms. Therrien suggested that the Budget Committee could look at the concept of setting funds aside for equipment replacement. Mr. Rolfe noted that funds for depreciation could be addressed during budget discussions when budget meetings are scheduled next Spring. Mr. Kitchen noted that everyone agrees that one of the town's needs is setting aside funds for the future as much as feasibly possible.

9. AMBULANCE BILL - REQUEST FOR REDUCTION

The Board reviewed a request for a reduction in an ambulance transport bill that was initially discussed at the Board's previous meeting. Mr. Whalen noted that he had googled the two companies listed on the bill - Discovery Health Partners and Patrons Oxford and found that the two companies are third party entities involved in the process of recouping funds to pay for medical services. Mr. Whalen pointed out that the Board still does not know what was the total amount for attorney fees paid on this claim. Ms. Therrien pointed out that this claim is now three years old and she noted that there was a finite amount of money the insurance company had to distribute on all the claims. Ms. Johnson-Rolfe commented that it would be preferable to get something instead of nothing in this situation. Mr. Rolfe questioned if the bill was even processed in a timely manner by the town's previous billing entity. After considerable discussion, Mr. Rolfe asked the Board what they wanted to do about this request.

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

To reduce the ambulance bill by \$177. from the original bill of \$708. to \$531.

10. TAX AND SEWER ACQUIRED PROPERTY POLICY

Mr. Rolfe questioned if the tax and sewer acquired property policy should dictate that every property needs to be inspected. Ms. Johnson-Rolfe also pointed out that the Code Enforcement Officer is not a property valuator and she suggested that the policy be revised. Ms. Therrien commented that the Town may be creating an unnecessary liability issue by dictating such things as an inspection of the property by the town's CEO. She noted that the Town is interested in selling the acquired property, recouping the town's costs, and getting the property back on the tax base. Ms. Therrien added that, of course, the Town would not sell acquired property if it was known that there were existing issues with the property. Mr. Kitchen said that he agreed that some portions of this policy opens the Town up to potential problems. Mr. Whalen suggested checking with other towns as to their policies of selling acquired property for non-payment of property taxes and sewer charges.

The members of the Board agreed to strike the wording in the policy on CEO inspections and to include language addressing situations wherein if a winning bidder withdraws their bid that bidder would forfeit the down payment made on the property. Mr. Whalen asked that the policy establish a timeline as to when the purchase needs to be completed. The Board requested that these changes be made to the policy and the Board reconsider the revisions at their October 10th meeting.

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

To withdraw the policy from consideration and table the policy for further review at the Board's October 10th meeting.

11. GROVE STREET COURTS

Mr. Whalen suggested making the Court Street tennis courts available for use to students at the University of Maine at Machias by filling in the cracks on the surface. The Board discussed Mr. Whalen's suggestion. Ms. Therrien noted that the Town is pursuing a grant to complete repairs to the tennis and basketball courts to make them available to residents.

12. DISPLAY SIGN AT THE TOWN OFFICE

Mr. Rolfe noted that there are many different types of signs available at various prices. Ms. Therrien noted that \$10,200. would fund an electronic sign that would hang on the front of the building. Ms. Johnson-Rolfe said that she conducted some research on the Internet on types and costs of signs available for purchase and she shared the results of this research with the other members of the Board. She pointed out that there are many, many options available. Mr. Rolfe agreed there are tons of options in signs; he added that the question is "does the Board want to spend the money to purchase an electronic sign?" The Board continued to discuss the question of a purchase and how to fund the purchase.

On a motion by Josh Rolfe, seconded by James Whalen, the Board
VOTED:

To continue research into the purchase of an electronic sign at a cost not to exceed \$5000. With funding being allocated from the contingency account.

13. OTHER BUSINESS

A. Ms. Therrien advised the Board that the Maine Municipal Association's annual business meeting and convention is scheduled on October 3-4, 2018. She advised the Board that she would be attending and asked the Board to authorize the casting of the town's vote during elections.

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

To designate the Town Manager as the town's delegate to the MMA annual business meeting and convention and Ms. Johnson-Rolfe as the town's alternate delegate.

B. Ms. Therrien explained her research into the use of enterprise accounts. She noted that enterprise accounts can only be utilized for the purpose for which they were created.

C. Mr. Pellon asked about the status of placement of a crosswalk in front of the christian school on Court Street. Ms. Therrien explained that she called the Maine Department of Transportation and requested that an official at the department return her call. She noted that the official has not yet returned her call. Ms. Therrien said that she would continue to follow-up on the suggestion.

D. Mr. Pellon suggested that the Town retain some of the gravel being extracted from the airport. Ms Therrien noted that Mr. Schoppee is stockpiling 15,000 to 20,000 yards of the fill on a site behind the airport.

E. Mr. Dallas Ward reminded everyone that the Machias Budget Committee is meeting the second Monday of every month.

F. Mr. Ward expressed concern that all of the town's web space is currently being utilized. Ms. Therrien noted that she is looking at a different web host since the current web provider would charge an exorbitant amount for additional web space. Ms. Therrien noted that some of the content on the website is being deleted in an effort to free up space.

G. Mr. Rolfe asked the other members of the Board to consider what they want to do regarding a fifth member of the Board.

On a motion by Bill Kitchen, seconded by James Whalen, the Board voted to adjourn the meeting at 8:03 PM.