

BOARD OF SELECTPEOPLE - TOWN OF MACHIAS

NOVEMBER 28, 2018

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; Ed Pellon, David Clark, Mary Angarola, Dallas Ward, Bruce Smith, Sally Ward, James Jackson, Bill Burke, Danny Bowker, David Bell.

1. MINUTES - REVIEW AND ACTION

On a motion by James Whalen, seconded by Bill Kitchen, the Board voted to approve the minutes of the November 14, 2018 Board meeting.

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #39 in the amount of \$12,066.27; to approve municipal warrant #40 in the amount of \$282,820.21; to approve municipal warrant #41 in the amount of \$28,635.89; to approve municipal warrant #42 in the amount of \$90,344.59; to approve municipal warrant #43 in the amount of \$17,603.64; and, to approve municipal warrant #44 in the amount of \$960,607.81 .

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

To approve school warrant #21 in the amount of \$187,635.57 .

3. SEWER COMMITMENT WARRANT

Ms. Therrien distributed the July 1 to September 30, 2018 quarterly sewer commitment warrant in the amount of \$140,834.70 for the Board to review.

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

To sign the July 1 to September 30, 2018 quarterly sewer commitment warrant as presented.

4. NEW YEAR'S EVE CELEBRATION - BILL BURKE

Mr. Bill Burke reviewed plans for the upcoming New Year's Eve celebration. He informed the Board that one major change is this year's schedule will be that the kid's events will be held at the Machias High School gym and cafeteria. Mr. Burke advised the Board that he is working with the sheriff's office on a K-9 unit demonstration as an addition to the program. Mr. Burke asked if the Town could provide traffic control

support as well as traffic cones and trash cans. Mr. Burke thanked the Board for their continuing support for the event. Mr. Rolfe noted that the Board appreciates Mr. Burke's efforts in making this celebration a success; he commented that he hopes the weather cooperates this year and he added that Mr. Burke has the full support of the Town. Mr. Kitchen said that he wanted to concur with Mr. Rolfe's comments and he thanked Mr. Burke for moving the kid's activities to the high school location. Mr. Burke noted that having events at the high school will cut down on the necessity of participants having to travel between locations.

5. SPONSORSHIP OF HOLIDAY DECORATING COMPETITION

Mr. Rolfe suggested holding a holiday spirit decorating competition this year in Machias with first, second, and third place awards given to the top three businesses displaying the most holiday spirit decor outside their business. Mr. Burke pointed out that Calais is holding a similar celebration this year in their community. The Board discussed holding such a competition. Mr. Rolfe noted that festive displays would foster the Christmas spirit in the community. Mr. Kitchen suggested that the judging be centered on outside decor since everyone would be able to observe the outdoor decorations.

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

To initiate the holiday spirit recognition awards involving the Machias community with a prize amount not to exceed \$500.

Members of the Board discussed developing a conceptual framework for these awards. Mr. Bruce Smith noted that one of the first things to consider is the designation of judges for the contest. Mr. Rolfe said that he had thought that the Board of Selectmen should assume this role.

6. MAINE WILD BLUEBERRY OFFER ON THE MACHIAS TELEBUSINESS CENTER

On a motion by Bill Kitchen, seconded by James Whalen, the Board
CONSIDERED THIS MOTION:

To sell the Machias Telebusiness Center building to Maine Wild Blueberry Company.

Mr. Rolfe asked for any discussion on the motion. Mr. Whalen asked if there had been any interest expressed from other parties on the property. Ms. Therrien disclosed to the Board that she received no telephone inquiries and no response to the public advertising of the property. The members of the Board discussed selling the building to Maine Wild. Ms. Johnson-Rolfe commented that the Board is lacking some substantive information that limits her decision as to what is the best option for the Town. She pointed out that an issue she has is the exact disposition of the outstanding debt owed the Town by a previous owner of Maine Wild which was reportedly written off as an uncollectible debt. Ms. Johnson-Rolfe said that she has many unanswered questions about this debt which muddies the entire picture. Ms. Therrien reviewed the incident which occurred and the

assessed Department of Environmental Protection fine levied against Maine Wild back in 1999.

Mr. Whalen commented that he would agree to the sale in principle; he added that the Town would need to develop a formal contract outlining all aspects of the sale. Ms. Johnson-Rolfe asked about imposing deed restrictions on the sale; she asked if the Town should decide to limit the deed? Mr. Whalen noted that he would like to see written summary from the State on the amount of funds that the Town would need to return; he added that he wants to see everything in writing to avoid any problems or oversights. Ms. Johnson-Rolfe noted that she wants to know all the points in order to make a firm commitment and decision.

Mr. David Bell, spokesperson for Maine Wild, explained that the first step in the process is to agreed to sell the property and then to pursue the steps in the process. Mr. Kitchen asked if the current owners of Maine Wild would be amendable to paying any direct costs the Town of Machias incurred due to the flooding of the sewer plant back in 1999? Mr. Bell advised the Board that company officials have begun the process of requesting the funds for the purchase through the company's budget process and that the funding of the purchase "is in the pipeline".

Mr. Dallas Ward noted that the Machias Budget Committee has discussed selling the property and the membership of the Committee are of the opinion that the Town should get out of the real estate business but are also cognizant of the benefit of the property as a revenue-producing entity. Ms. Johnson-Rolfe noted that she has given much thought to moving the town offices to the tele-business center where town departments could be consolidated. She pointed out that many citizens have contacted her about the inability to make contact with anyone at the Machias Police Department; she noted that many citizens have expressed to her a frustration that there is no one answering the telephone at the police department. Mr. Whalen expressed concern in protecting the current renters utilizing the building. Mr. Rolfe noted that Maine Wild has agreed to honor the town's lease agreements.

Mr. Kitchen withdrew his motion to sell the tele-business center to Maine Wild. Mr. Whalen withdrew his second to the motion.

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

To agree to sell the Machias Telebusiness Center building to Maine Wild Blueberry for the principal amount of \$250,000. subject to an agreement on additional issues and with State approval and that the Town will move forward in good faith.

Vote on Motion: 3 votes in favor (Mr. Rolfe, Mr. Kitchen, Mr. Whalen)

1 vote in opposition (Ms. Johnson-Rolfe)

Motion Carried 3 to 1

Mr. Bell thanked the members of the Board; he commented that he is looking forward to working with the Town. He noted that his company fully intends to move forward and do whatever is possible to expedite the purchase. Mr. Bell said that he would communicate to his company the Town's concerns regarding the DEP fine twenty years ago. Mr. Rolfe

also noted that another concern for the Town is a deed restriction to prevent the reselling of the property in six months time for a profit; he noted that there should be a contract agreement on reselling the building. Mr. Rolfe asked that the Town Manager and company representatives work on the next steps in the purchase process.

7. OTHER BUSINESS

A. Ms. Therrien noted that the Board has a copy of a notice from Downeast Community Partners advising of a meeting on December 4, 2018 at the Cherryfield Academy Community Center from 3:00 to 5:00 PM.

B. Mr. Whalen said that he was advised that the Town was cited by the DEP on the installation of the vehicle charging station. Ms. Therrien explained that the company who donated the charging station did not realize that a permit-by-rule was needed from the DEP. She noted that the issue has been resolved.

C. Ms. Therrien advised the Board that they were sent the medical marijuana ordinance electronically for their review.

D. Mr. Whalen said that he has had trouble obtaining information from the Finance Director. Mr. Whalen explained that he received a telephone call from Larry Barker of Machias Savings Bank requesting a meeting to discuss tax increment financing. Mr. Whalen said that he stopped into the town office and asked the Finance Director for information on tax increment financing and was told by the Finance Director that she had been directed by the Town Manager not to speak to him about TIFs. Mr. Whalen noted that he asked the Finance Director three times for information and that it was repeated to him that the Town Manager had told her not to discuss TIFs with him. Mr. Whalen said that he has attempted to become informed on tax increment financing both as a citizen and as a Board member and had asked someone who might have some knowledge about tax increment financing. He said that he had a right as a selectmen to ask questions of the Finance Director and that he has to have access to information to make responsible decisions. Mr. Whalen said that this is not the sort of communication that creates effective government.

Ms. Therrien responded that this was not how she was told that the conversation with the Finance Director went; she said that she could have the Finance Director sit before the Board to share what transpired. Ms. Therrien said that the response from the Finance Director to Mr. Whalen's request for information was that she does not deal with tax increment financing and has no knowledge of this. Ms. Therrien explained that the Finance Director deals with financial aspects of town business and she does not deal with terms and concepts such as tax increment financing. She noted that this is not part of the Finance Director's job and this is not in "her realm of expertise". Ms. Therrien explained that these types of questions should be directed to the town manager since it is the town manager who would be in the position of knowing the concept of a TIF. Mr. Whalen said that he was just trying to get information and he was upset that the Finance Director was directed by the Town Manager not to answer questions on tax increment financing. Ms. Therrien pointed out that the Finance Director has no knowledge of this concept in her

position as financial officer for the town. Mr. Whalen said that he was unsure if he should talk to the Finance Director about anything. Ms. Therrien explained that the Finance Director can respond to any questions pertaining to the responsibilities of her job. Ms. Therrien noted that anyone should talk to that person whose job covers the information being inquired about; she added that it is not appropriate for the Finance Director to answer informational questions on tax increment financing. Ms. Therrien reiterated that the Finance Director has nothing to do with questions on TIFs.

Ms. Johnson-Rolfe stated that there appears to be a dilemma on communications and some confusion by members of the Board. Ms. Johnson-Rolfe said that there is a need to access information and that each member of the Board needs to "be on the same page for information". The members of the Board discussed improving communication going forward in time.

8. EXECUTIVE SESSION

The Board agreed to table an executive session until the January 12th meeting.

On a motion by James Whalen, seconded by Paula Johnson-Rolfe, the Board voted to adjourn the meeting at 7:57 PM.