

BOARD OF SELECTMEN - TOWN OF MACHIAS

JUNE 8, 2016

PUBLIC HEARING ON LIQUOR LICENSE APPLICATION
OBADIAH'S CAFE & EMPORIUM

A public hearing was called to order at 6:00 PM by Vice Chairman Warren Gay on a liquor license application submitted by the owner of Obadiah's Cafe & Emporium located at 35 Harwood Street. In attendance were Board members James Whalen, Leslie Haynes, and Josh Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Johanna Billings, Bill Kitchen, Jon Reisman, Crystal Hitchings, Angela Fochasato.

Mr. Gay explained that the purpose of this public hearing was to allow the public the opportunity to speak for or against the issuance of a liquor license for Obadiah's Cafe & Emporium. The Board reviewed the contents of the application for the public. Mr. Gay asked for any comments and/or questions.

Hearing no comments or questions from the public, Mr. Gay closed the public hearing at 6:02 PM.

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A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:02 PM by Vice Chairman Warren Gay. In attendance were Board members James Whalen, Leslie Haynes, and Josh Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Johanna Billings, Bill Kitchen, Jon Reisman, Chrystal Hitchings, Angela Fochasato, Ingrid Handrihan, Bill Handrihan.

1. MINUTES - REVIEW AND ACTION

On a motion by Josh Rolfe, seconded by James Whalen, the Board voted to approve the minutes of the May 25, 2016 Board meeting.

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #97 in the amount of \$12,240.48; to approve municipal warrant #98 in the amount of \$279,922.23; to approve municipal warrant #99 in the amount of \$19,887.12; and, to approve municipal warrant #100 in the amount of \$346,299.29 .

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

To approve school warrant #50 in the amount of \$215,639.03 .

3. ACTION ON OBADIAH'S CAFE & EMPORIUM LIQUOR LICENSE APPLICATION

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board

VOTED:

To approve a liquor license for Obadiah's Cafe & Emporium located at 35 Harwood Street.

4. MACHIAS BAY INITIATIVE PRESENTATION

Mr. Jon Reisman, spokesperson for the Machias Bay Initiative, outlined the initiative to the Board of Selectmen. Mr. Reisman noted that "UMM will lead a research and policy initiative utilizing the unique physical and human geography of Machias Bay to study, design, implement, and evaluate ocean acidification/climate change mitigation and adaptation strategies". Mr. Reisman noted that it is hoped that this program will help in strengthening UMM and the surrounding areas focusing on community engagement, service, and economic development. Mr. Reisman pointed out that UMM has had a \$500,000. budget deficit each year for the past several years which has made it necessary for UMM to think hard about its future in downeast Maine. He explained that current plans are to kick off this initiative in the Fall of 2016; he noted that area communities are very important to the initiative.

Mr. Whalen asked about the agenda of the interim president's role in this initiative as well as the search for a permanent UMM president. Mr. Reisman said that the Chancellor of the university system wants to keep UMM open; he pointed out that no presidential search has been announced to find a permanent UMM president. Mr. Gay thanked Mr. Reisman for his presentation.

5. WASHINGTON COUNTY COUNCIL OF GOVERNMENTS - MDOT CONTRACT

Ms. Crystal Hitchings, representing the Washington County Council of Governments, explained the scope of a \$9000. Maine Department of Transportation grant to fund a Machias Traffic and Safety Work Plan. She noted that the project will be funded through WCCOG transportation monies allocated by the State and will address long-standing traffic circulation, safety, and accessibility issues in select areas of Machias. Ms. Hitchings explained the need to establish local contacts and form a project planning committee. She outlined recommendations on who should serve on this committee as well as some additional community representation. Mr. Whalen pointed out that the main contact person should be the Machias Town Manager with the Board of Selectmen reviewing reports issued by the committee. As to representation from the Machias Board of Selectmen, it was recommended that Mr. Gay would be a logical choice since he was involved extensively with E-911.

Ms. Hitchings noted that another decision which needs to be made is that of the project scope. She reviewed the list of areas within Machias that are a concern. Mr. Whalen asked that the Steel Hill area be added to the list. Ms. Therrien noted that the general downtown circulation and accessibility issues extend from the intersection of Main

Street/Court Street to the Dike area of Machias.

Mr. Whalen suggested that this committee issue a monthly report on progress and activities; Ms. Hitchings explained that the MDOT expects monthly updates and that she would send copies of these reports to the Machias Town Manager. Mr. Whalen asked who would make the decisions as to solutions for problem areas. Ms. Hitchings said that the core group would make these decisions and that the additional community representation would act as an advisory group. A meeting day was discussed and it was decided to look at holding these committee meetings on Thursdays; Mr. Whalen suggested that the core group start by holding an initial meeting within the next two or three weeks. Ms. Hitchings said that she was looking forward to working with everyone on this project.

6. REQUEST TO PURCHASE OLD DUMPSTER

Ms. Therrien explained that Mr. David Rasco has expressed an interest in purchasing the old dumpster located at the transfer station; she noted that Mr. Rasco would be interested in purchasing the dumpster for the price of scrap metal. Ms. Therrien noted that the dumpster is not in good shape and is unusable in its condition. The Board decided to table a decision on selling the dumpster until the next meeting to obtain input from the manager of the transfer station facility.

7. MACHIAS FIRE DEPARTMENT - REQUEST TO ADD TO ROSTER

Ms. Therrien explained that Mr. Don Hicks is interested in serving as a reserve on-call dispatcher. She advised the members of the Board that the pay rate for on-call personnel is \$10.00 per hour. Ms. Therrien noted that the real issue is the need for a doctor's note from Mr. Hick's physician clearing him as fit-for-duty on previously documented health issues. Mr. Haynes said that he would highly recommend that Mr. Hicks be appointed.

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board

VOTED:

To appoint Don Hicks as a reserve on-call dispatcher at the hourly rate of \$10.00 with the stipulation that Mr. Hicks provide a fit-for-duty release from his doctor.

The Board signed Mr. Hick's appointment paper.

8. REQUEST FOR ROAD CLOSING OF ROUTE 1A

Ms. Therrien advised the Board of a request to close Route 1A on September 12th for the Bike Maine Event. Ms. Therrien noted that Route 1A would be closed in the area in front of the Machias Town Office; Mr. Rolfe suggested that the road be closed from Center Street to the triangle. It was the consensus of the Board to close the road for the Bike Maine Event from Center Street to the triangle on September 12, 2016.

9. PROPOSED ORDINANCES

The Board briefly reviewed examples of proposed ordinances provided by the Town Manager. Bill and Ingrid Handrihan, residents of Lyons Street, expressed their concern about the accumulation of garbage on properties located on the street they live on. Mr. Gay thanked the Handrihans for attending and informing the Board of Selectmen of what they perceive as a problem.

Ms. Therrien commented that any town governing unit needs to be careful about what they seek to regulate and how exactly to regulate what are perceived as problem areas. She cautioned that towns need to take into consideration the need not to cause hardships but also to fully address safety issues.

The Board decided to discuss the proposed ordinances and the job description of a code enforcement officer at their next meeting and to table this item of business.

10. INSURANCE VALUES

Ms. Therrien called the Board's attention to a memo from Susan Caston, Senior Underwriter with Risk Management Services at Maine Municipal Association, regarding a finding on the town's insurance. The Town Manager cautioned the Board that this change becomes important if the Town has to pay a deductible on a claim.

11. "TOO GOOD TO THROW" PROPOSAL LETTER

The Board decided to table the "too good to throw" proposal until their next meeting in order to discuss the concept with the transfer station manager

12. STATUS OF PROPERTY AT 24 GARDNER AVENUE

Ms. Therrien noted that the request for bids on the property located at 24 Gardner Avenue was placed; she advised the Board that one person did express an interest in the purchase of the property but that their stipulation on the purchase was that they would need some time to make arrangements for the purchase. The Board discussed such a proposal and decided that the Town needs to resolve this issue quickly and therefore needs to proceed with the removal and/or purchase of the property in an expeditious manner. It was noted that a neighbor had questioned if the property was infested with rats but Mr. Rolfe pointed out that he absolutely saw no indication of a rat infestation when he inspected the interior of the property. The Board reviewed the request for bid proposals for the demolition and removal of the residential structure located at 24 Gardner Avenue. The Board gave their authorization for the Town Manager to proceed with placement of the request for bids.

13. VENDING ORDINANCE SAMPLE

The Board reviewed a draft mobile food vending ordinance provided to them by the Town Manager. Mr. Rolfe explained that he had been rethinking what the Board should support for a vending ordinance and he noted that he has decided that the vending

ordinance should be all inclusive. He explained that much of his reflection centered around the concept that vendors are actually competing with tax-paying businesses located in Machias.

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

To propose that the vending ordinance be inclusive of all vendors.

Mr. Rolfe noted that one of the biggest problems to consider is exactly what is the definition of vending. Ms. Therrien said that a vendor is a mobile vending unit, one that is moved from place to place, even one that is located on private property or owned by an in-town business. Mr. Rolfe also brought up the question as to what extent Machias could go in regulating vendors. Ms. Therrien commented that there is much to consider in developing a vending ordinance such as who to regulate, to what extent to regulate vendors, the number of vendor permits to grant, etc... Mr. Rolfe said that the goal is to try to make it fair for taxpayers who are contributing to the tax base competing with vendors who come to town a day at a time and leave with their profits. Ms. Therrien asked the members of the Board if they considered the people who locate themselves on the Dike as vendors. The Board's response was a definite "yes". It was decided that the Board would continue this discussion at their next meeting.

14. TOWN MANAGER'S REPORT

A. Ms. Therrien noted that there was a ceremony of the "military friendly" initiative at UMM on 6/11/16.

B. Ms. Therrien noted that she has provided the Board with copies of the following: an e-mail from the Code Enforcement Officer regarding an agreement to remove a burned structure located on Center Street; a written resignation from Norman Robert; an update on transfer station billing; an informational brochure on fluoride; and, approval notification on a safety enhancement grant application.

C. Ms. Therrien advised the Board that the Court Street sewer issue has been corrected, She noted that the next issue which will be tackled will be the burned house located on High Street. Ms. Therrien noted that it seems to work better to address one large issue at a time instead of trying to address every issue at once.

D. Ms. Therrien noted that the DEP has advised that lightbulbs cannot go into the regular disposal can at the transfer station but have to go into the universal waste.

15. OTHER BUSINESS

A. Mr. Whalen brought up the question of considering a moratorium on commercial marijuana businesses. Ms. Therrien said that she can check with Maine Municipal Association as to the legality of the Board of Selectmen to enact such a moratorium.

B. Mr. Whalen and Mr. Rolfe reported that the camera surveillance company had visited Machias to look at areas of concern. They explained that the company will give some cost estimates and make recommendations.

C. Mr. Haynes explained his concern over a brace holding up the false front on a building located on Main Street. The Board discussed prioritizing this building as a safety concern. Ms. Therrien said that she would contact the code enforcement officer and ask her to send a letter to the owner concerning the deficiencies of the building.

D. Ms. Therrien reported that the heating units and then the roof repairs will be addressed at the telebusiness center. Mr. Whalen pointed out that the Town will need to consider how much to spend on repairs to this building. Ms. Therrien advised that she has a cost estimate on the range of repairs to the roof and she will need more information on the heating units before proceeding with the repairs.

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board voted to adjourn the meeting at 7:50 PM.