

BOARD OF SELECTPEOPLE - TOWN OF MACHIAS

FEBRUARY 12, 2020

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 Bill Kitchen, Paula Johnson-Rolfe, James Whalen, and James Jackson; Town Manager Christina Therrien; Secretary Cathy Lord; Town Clerk Sandra Clifton; David Clark, Mary Angarola, Bruce Smith, Ed Pellon.

1. MINUTES - REVIEW AND ACTION

On a motion by Paula Johnson Rolfe, seconded by James Jackson, the Board voted to approve the minutes of the January 22, 2020 Board meeting.

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #62 in the amount of \$11,909.70; to approve municipal warrant #63 in the amount of \$110,919.14; to approve municipal warrant #64 in the amount of \$21,640.36; to approve municipal warrant #65 in the amount of \$60,708.56; to approve municipal warrant #66 in the amount of \$10,764.82; and, to approve municipal warrant #67 in the amount of \$26,357.39 .

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

To approve school warrant #31 in the amount of \$262,941.82 .

3. AMBULANCE CONTRACTS - MARSHFIELD AND NORTHFIELD

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

To approve ambulance contracts with Marshfield and Northfield.

4. FIRE CONTRACT - NORTHFIELD

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

To approve the fire contract with Northfield.

5. TAX REFUND REQUEST FROM MALCOLM DONOVAN

Chairman Rolfe reviewed the history of Mr. Malcolm Donovan's request for a refund on overpayment of property taxes. He explained that Mr. Donovan was taxed for property he did not own (due to a transfer of property mistake) over a period of several years and he noted that the town's tax assessor and the Board

of Selectpeople abated as much of the overpayment as they legally could (three years). Mr. Rolfe said that he has spoken to Mr. Donovan at great length explaining the circumstances and the limitations of the Town in this matter. Mr. Rolfe said that he had asked if it would be appropriate to ask voters at town meeting to authorize a refund to Mr. Donovan but was advised by legal counsel that it "would not be in the best interests of the Town to do this". Mr. Rolfe also noted that legal counsel advised not to place a refund on a town warrant. Mr. Rolfe reiterated that the Town has exhausted all options to refund Mr. Donovan for the entire over-payment as he has requested. He added that the Town has tried legally to give Mr. Donovan his money back, money received by the Town in error for property taxation, and that the Board has tried to do everything legally possible to refund the over-payment. Mr. Rolfe noted that the Board cannot circumnavigate the law and that he has reviewed the Town's efforts to legally refund the money with Mr. Donovan.

6. CONSOLIDATED COMMUNICATION APPLICATION FOR POLE PERMITS

Ms. Therrien explained the request to place three poles on Stackpole Drive leading to the new communications tower; she noted that the pole placement is in the town's right-of-way. Ms. Therrien noted that there are no issues with the request.

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

To approve the request for placement of three electric poles on Stackpole Drive.

7. TOWN OFFICE CLOSURE FOR ELECTION TRAINING

Ms. Therrien advised the members of the Board that the Machias Town Office will be closed on 2/25/20 from 9:00 AM to 4:00 PM due to training on local election laws. Ms. Therrien explained that there will be publicized notification of the closure.

8. MACHIAS BAY AREA CHAMBER OF COMMERCE ANNUAL DINNER

Ms. Therrien advised the Board that the MBACC's annual dinner will be held on 4/10/20 from 5:30 to 9:00 PM at the Lee Pellon Center. Ms. Therrien asked the members of the Board to advise her if they will be attending. Mr. Rolfe noted that the members of the Board do attend the dinner at their own expense.

9. TRUCK BY-PASS ROUTE

Ms. Therrien updated the Board on the status of the truck by-pass route. She noted that she has discussed the topic with UMM representatives as well as Mr. Dan Bowker from Maine Wild Blueberry. Ms. Therrien explained that it could be

relatively inexpensive to secure the needed right-of-ways to construct the by-pass.

Mr. Whalen asked that a letter also be sent to the MDOT. Mr. Rolfe noted that the Town has not secured the services of an attorney for this matter as has been falsely reported in a local newspaper.

10. APPLICATION FOR MEDICAL MARIJUANA BUSINESS - INDIAN TRAIL FARMS LLC

Ms. Therrien explained that the Board has an application from Indian Trail Farms LLC to move their medical marijuana retail store to the former Blueberry Ford location on Route #1. She noted that the Machias Planning Board has reviewed the application and forwarded the application to the Board of Selectpeople for action.

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

Based on the Machias Planning Board's recommendation to approve the application, to approve the application submitted by Indian Trail Farms LLC for relocation of a medical marijuana retail store to the former Blueberry Ford location on Route #1.

11. OTHER BUSINESS

A. Ms. Therrien reported that there are no past due accounts for the transfer station quarterly billing cycle.

B. Ms. Therrien reported that the used school bus has been re-advertised.

C. Ms. Therrien reported that a \$5000. donation was received for the athletic fields project. Mr. Whalen explained that the donor, Warren Knowlton, is a resident of Machias.

D. Ms. Therrien notified the Board that Machias has been invited to participate in the next round of CDBG grant funding for the sewer program. She noted that this is mandated work for which the Town entered into a consent agreement.

E. Ms. Therrien advised the Board that she has made application for the "Hometown" reality television show contest where sponsors are looking for small communities needing rehabilitation of buildings.

F. The Board discussed meeting dates for municipal budget review on 2/19/20 and 3/18/20 from 2:00 to 8:00 PM at the Machias Town Office.

On a motion by Paula Johnson-Rolfe, seconded by James Jackson, the Board voted to adjourn the meeting at 6:38 PM.