

## BOARD OF SELECTMEN - TOWN OF MACHIAS

APRIL 13, 2016

A regularly scheduled meeting of the Machias Board of Selectmen was called to order at 6:00 PM by Chairman Aubrey Carter. In attendance were Board members Warren Gay, James Whalen, Leslie Haynes, and Josh Rolfe; Town Manager Christina Therrien; Secretary Cathy Lord; Johanna Billings, Paul Hoyt, Wade Walker, Paul Gamble, Julian Richardson, Jonathan McClure.

### 1. INTRODUCTION OF POLICE OFFICER CANDIDATE

Officer Wade Walker introduced a candidate for the position of full-time police officer to the Board of Selectmen. Mr. Paul Gamble was introduced to the Board. Mr. Gamble reviewed his credentials and work experience. Mr. Carter wished Mr. Gamble good luck with his application for employment and thanked him for coming to the meeting to be introduced.

### 2. MINUTES - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the March 23, 2016 Board meeting.

### 3. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #79 in the amount of \$18,076.74; to approve municipal warrant #80 in the amount of \$344,702.20; to approve municipal warrant #81 in the amount of \$11,605.83; to approve municipal warrant #82 in the amount of \$275,768.21; to approve municipal warrant #83 in the amount of \$14,767.93; and, to approve municipal warrant #84 in the amount of \$90,962.26 .

On a motion by Warren Gay, seconded by Josh Rolfe, the Board  
VOTED:

To approve school warrant #40 in the amount of \$216,536.28 and to approve school warrant #42 in the amount of \$216,695.82 .

### 4. LIQUOR LICENSE RENEWAL - PAT'S PIZZA

The Board reviewed a liquor license application submitted by Pat's Pizza. Mr. Carter noted that the business meets the requirements for food (\$903,000.) and liquor amounts (\$106,342.).

On a motion by Josh Rolfe, seconded by Warren Gay, the Board  
VOTED:

To approve a liquor license renewal for Pat's Pizza.

#### 5. UNCOLLECTIBLE SEWER ACCOUNT BALANCES

Ms. Therrien called the Board's attention to a list of small claims filings for delinquent sewer accounts. She noted that approximately \$3700. has been collected over the past week on delinquent accounts. Ms. Therrien recommended that the uncollectible balances and attributable costs/accrued interest be written off as uncollectible. The Board discussed the status of sewer accounts.

On a motion by Warren Gay, seconded by Josh Rolfe, the Board

VOTED:

Based on the recommendation of the Town Manager, to write off the uncollectible sewer account balances (\$8087.26) along with attributable costs and accrued interest.

Mr. Paul Hoyt commented on the enormous number of overdue sewer accounts annually documented in the town report. Mr. Hoyt asked what the criteria was for writing off these debts owed to the Town. Ms. Therrien noted that the accounts are long-standing overdue accounts which cannot be collected through small claims court due to the amount of time which has elapsed. She noted that newer overdue accounts have been legally addressed through the lien process. Mr. Carter assured Mr. Hoyt that the Town is making progress in collecting sewer charges.

#### 6. AMERICAN LEGION POST #9 - GAMES OF CHANCE

Ms. Therrien explained that the American Legion Post #9 is asking for permission to conduct three games of chance at the legion on April 23, 2016. She noted that the games are "Three Card Poker", "Wheel of Chance", and "Blackjack". Ms. Therrien advised the Board that there is no requirement for a public hearing in order for the Board to approve the games.

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

VOTED:

To approve a request from the American Legion Post #9 to conduct the games of chance "Three Card Poker", "Wheel of Chance", & "Blackjack" on April 23, 2016.

#### 7. DISCUSSION OF CEMETERIES - MACHIAS CEMETERY ASSOCIATION

Mr. Paul Hoyt and Mr. Julian Richardson representing the Machias Cemetery Association spoke to the Board about the maintenance of the Longfellow and Court Street cemeteries. Mr. Hoyt recited a brief history of the cemetery association. He explained to the Board that he and Mr. Richardson are the only remaining active members of the association and that both of them have decided to relieve themselves of the care of the two cemeteries. Mr. Hoyt told the Board that he and Mr. Richardson feel that it is time to give the responsibility of the Longfellow and Court Street Cemeteries to the Town.

Mr. Jonathan McClure asked Mr. Hoyt if it was possible to table this discussion because he would like to join the committee and look at other avenues of assistance in maintaining the cemeteries. Mr. McClure said that he is asking Mr. Hoyt and Mr. Richardson to delay their decision at least a month until he can speak to other members of the committee and approach local entities such as the prison, veteran's organizations, youth organizations, school groups, and church groups for their help in maintaining the cemeteries. Mr. Hoyt commented that there needs to be a long-term plan of maintenance and repair. He noted that there is a lot more to maintenance than mowing and trimming; he pointed out that stones have to be repaired, debris has to be constantly removed during certain times of the year, and careful records have to be kept on the graves. Ms. Therrien commented that the Town can manage and be the fiscal agent for the cemeteries; she noted that this arrangement would allow the cemetery association to continue to exist. Mr. Hoyt reiterated that he and Mr. Richardson are not interested in continuing.

Ms. Therrien noted that it is the cemetery association which owns the Longfellow and Court Street cemeteries. Mr. Carter pointed out that it is state law that individual towns must provide care for all veteran's graves. Ms. Therrien commented that the Town does not have the manpower at the present time to care for two additional cemeteries since the Town currently maintains four cemeteries. Mr. Hoyt said that five thousand dollars is estimated as the cost to provide summer mowing and upkeep for these two cemeteries; he added that there is plenty of money in the cemetery accounts to cover maintenance costs. Mr. Hoyt and Mr. Richardson said that they would be willing to help the town with questions but that they do not want to be involved otherwise and are resigning from the cemetery association.

Mr. Carter stated that the Board is willing to allow the cemetery association to turn the Longfellow and Court Street cemeteries over to the Town and he asked Mr. Hoyt and Mr. Richardson to gather all the information/ledgers/records they have accumulated on the cemeteries so that all this information can be provided to the Town. Mr. Hoyt agreed that he and Mr. Richardson can have everything together in two weeks and that they would be willing to provide their knowledge and expertise to the Town. Mr. Carter noted that this will also allow Mr. McClure time to work on finding groups willing to work on maintaining the cemeteries. Mr. McClure said that he would work on removing the debris from the cemeteries and arrange for the maintenance. Mr. Whalen recommended that the cemetery funds be placed in special accounts designated specifically for the cemeteries.

Ms. Therrien thanked Mr. McClure for his willingness to take over the oversight of the two cemeteries and she thanked Mr. Hoyt and Mr. Richardson for their service with everything they have done in caring for the Longfellow and Court Street cemeteries. The members of the Board concurred.

## 8. TOWN REPORT PRINTING BIDS

The members of the Board opened the bids received on the printing of the annual town report.

### Bids:

Furbush-Roberts Printing Company - 650 books @ \$3716.15 unit price; \$2415.50

Bangor Letter Shop - 750 books@\$2547.57

Albison's Print Inc. - 650 books@\$1733.60

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

### VOTED:

To award the bid for the printing of the annual town report to Albison's Print Inc. at the bid price of \$1733.60 for 650 books.

## 9. GARBAGE CLEAN-UP DAY - ITEMS TO BE ACCEPTED

Ms. Therrien explained that people have been calling inquiring as to what is being accepted free of charge at the transfer station on the town-wide clean-up day scheduled for May 14th and 15th. She recommended that electronics, demolition debris, and tires continue to be charged for if someone brings these items in on these days. The Board agreed. Ms. Therrien said that she would send out a press release and distribute this information in a brochure.

The status of the metal pile at the transfer station was discussed. Mr. Carter noted that the Town should contact Mark Wright as to that company's interest in picking up the metal and that Mr. Rasco be advised of this action.

## 10. PATRIOT HONOR RIDE REQUEST

Ms. Therrien reviewed the letter from the Patriot Honor Ride spokesperson with the Board. She noted that she is unsure of what the actual request in the letter is. The Board reviewed the contents of the letter with Ms. Therrien. The Board asked that Ms. Therrien reach out and clarify what the actual request is so that she can provide the Board with this information.

## 11. PRELIMINARY ENGINEERING SERVICES

Ms. Therrien asked the Board for permission to contact an engineer regarding engineering services for the public safety building.

On a motion by Warren Gay, seconded by Josh Rolfe, the Board

### VOTED:

To authorize the Town Manager to spend up to \$2500. for engineering services for the public safety building.

As to funding the engineering costs, Ms. Therrien said that she would examine the municipal budget for funding of the costs.

## 12. FIREFIGHTER APPLICATIONS - FIT FOR DUTY PHYSICALS

Ms. Therrien advised the Board that Fire Chief Joey Dennison is recommending that three new members be appointed to the volunteer fire department - Stephen Simmons, Bill Kitchen, and Dylan Case. She also noted that the town's insurance carrier has encouraged the Town to establish fit for duty standards for members of the fire department. Ms. Therrien asked the Board what they thought about evoking a fit for duty physical requirement for members of the fire department. The members of the Board agreed with establishing such a requirement. Mr. Rolfe pointed out that many members of the fire department already meet the standards of a fit for duty requirement. Ms. Therrien also informed the Board of on-going work on a firefighter job description.

On a motion by Warren Gay, seconded by Josh Rolfe, the Board

VOTED:

To appoint Stephen Simmons, Bill Kitchen and Dylan Case to the volunteer fire department with the requirement that they provide documentation of a fit for duty physical within six months time.

## 13. DISCUSSION OF TELEBUSINESS CENTER

Ms. Therrien informed the members of the Board that she has been reviewing the financial information on the telebusiness center; she noted that she believes that the telebusiness center is making money based on the revenues and operating expenses incurred on the building. Ms. Therrien noted that it had been overlooked that every year \$12,000. has been taken from the building's earnings to put towards town administrative costs. Ms. Therrien recommended to the Board that they reconsider selling the building, perform the needed repairs to the building, and actively market the building to possible renters.

Mr. Whalen noted that a list of deficiencies of the building was previously developed. Ms. Therrien noted that she has a copy of the list of repairs which need to be done to the building. Mr. Whalen pointed out that there has been a downward trajectory in revenues over the past five years and he theorized that the costs of running the building will outpace revenues from renting space in the building. He suggested that when the building's revenue gets to the \$10,000. mark that the building be sold so that the Town no longer loses money.

The Board discussed the repairs to the building and where to obtain the funding for the repairs. Ms. Therrien pointed out that the telebusiness center is an enterprise account meaning that the Board can borrow funds to finance the repairs. Mr. Carter asked the Town Manager to find out the costs of the repairs so the Board will know how much needs to be borrowed. Ms. Therrien responded that she would get contractors to give some quotes on the cost of repairs.

#### 14. TAX-ACQUIRED PROPERTY UPDATE

A. Ms. Therrien advised the Board that a total of \$9535.89 is owed on the property taxes/sewer charges on the house on Gardner Avenue. The Board directed that the Town Manager advertise the sale of the property to the highest bidder with a minimum bid covering all the outstanding taxes and fees assessed to the property.

B. The Board and Ms. Therrien discussed the status of the property located on Water Street. Ms. Therrien reviewed advice received from MMA that the Town allow the delinquent owner to pay his share of the property taxes and discharging the Town's interest in the property. Ms. Therrien noted that the outstanding 2013 property tax amount is \$424.02. It was pointed out that the delinquent owner, Donald Lord, had also promised to fully pay up all his outstanding property taxes on the property. Ms. Therrien advised that the Town can only demand the \$424.02 amount and it remains to be seen if Mr. Lord fulfills his promise to bring his tax payments current.

On a motion by Josh Rolfe, seconded by Warren Gay, the Board

VOTED:

To accept payment of \$424.02 for the balance of the 2013 property taxes owed by Donald Lord for the property at 38 West Street by April 20, 2016.

#### 15. TOWN MANAGER'S REPORT

A. On a motion by Warren Gay, seconded by Josh Rolfe, the Board

VOTED:

To allow the Town Manager to submit an application to the FAA for funding for the rotating beacon, the windsock, and the segmented circle at the airport.

B. Ms. Therrien reported that the Machias Fire Department will conduct a training activity on Saturday, April 23rd from 8:00 AM to 12:00 PM when they will be burning a building on Dublin Street. Mr. Carter noted that the Board would like to see such training requests in a written format; Ms. Therrien noted that the fire department is working on this.

C. Ms. Therrien noted that she received a letter from the Department of Economic and Community Development advising that the Town of Machias was unsuccessful in its request for a 2016 public infrastructure grant. Ms. Therrien noted that there was only \$2.7 million dollars available this year in the infrastructure program. Ms. Therrien reviewed the letter with the Board; she noted that Machias is encouraged to apply for a grant next year and to proceed with applying for other sources of funding.

D. Ms. Therrien called the Board's attention to a letter of thanks from the Washington County Soil & Water Conservation District thanking Machias for providing financial support of the entity.

E. Ms. Therrien informed the Board that EMS recognition week is approaching. She advised the Board that she will place a notice of thanks in local newspapers in recognition of the work these individuals and groups do.

#### 16. OTHER BUSINESS

A. Mr. Whalen reminded the other members of the Board that when the Town Manager was hired there was a stipulation in her employment contract outlining an annual performance evaluation. Mr. Whalen reviewed the requirement in the town manager's employment contract. Mr. Carter commented that the evaluation is the Board's responsibility; he advised the Board that the formal review will be done in executive session since this is an employee evaluation. Mr. Carter suggested that the Town Manager submit a formal write-up of goals accomplished since she was hired and areas that still need to be addressed.

B. Mr. Whalen asked that the Code Enforcement Officer meet with the Board; Ms. Therrien said she would advise the Board.

C. Mr. Gay noted houses in town which present safety hazards.

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board voted to adjourn the meeting at 7:47 PM.