

BOARD OF SELECT-PEOPLE

TOWN OF MACHIAS

JUNE 26, 2019

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, James Whalen, Bill Kitchen, and James Jackson; Town Manager Christina Therrien; Secretary Cathy Lord; David Clark, Mary Angarola, Bruce Smith, Ed Pellon, Ben Redman, Sarah Dedman, Scott Reynolds.

1. MINUTES - REVIEW AND ACTION

On a motion by Paula Johnson-Rolfe, seconded by James Whalen, the Board voted to approve the minutes of the June 12, 2019 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 #96 in the amount of \$19,497.49; to approve municipal warrant #97 in the amount of \$443,991.85; to approve municipal warrant #98 in the amount of \$16,336.54; to approve municipal warrant #99 in the amount of \$48,983.15; to approve municipal warrant #100 in the amount of \$18,504.38; to approve municipal warrant #101 in the amount of \$835,412.71; to approve municipal warrant #102 in the amount of \$12,442.28; to approve municipal warrant #103 in the amount of \$96,773.08; to approve municipal warrant #104 in the amount of \$18,275.60; and, to approve municipal warrant #105 in the amount of \$120,556.87 .

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

VOTED:

To approve school warrant #49 in the amount of \$249,256.43 and to approve school warrant #51 in the amount of \$254,430.02 .

3. LIQUOR LICENSE RENEWAL/SPECIAL ENTERTAINMENT PERMIT - THIRSTY MOOSE CAFE

The Board reviewed a liquor license renewal application submitted by R&J Enterprises (Thirsty Moose Cafe).

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

VOTED:

To approve a liquor license renewal for R&J Enterprises doing business as The Thirsty Moose Cafe.

The Board reviewed an application for a special entertainment permit submitted by the owner of The Thirsty Moose Cafe. Mr. Rolfe noted that the application states that the hours of operation are 11 to 12; he told the Board that he assumes that the applicant means that the hours of operation are 11:00 AM to 12:00 PM.

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

VOTED:

To approve a special entertainment permit for The Thirsty Moose Cafe.

4. LIQUOR LICENSE RENEWAL - OBADIAH'S

The Board reviewed a liquor license renewal submitted by Obadiah's.

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

VOTED:

To approve a liquor license renewal for Obadiah's.

5. APPLICATION FOR SPECIAL TASTE TESTING/FARMER'S MARKET LICENSE

Ms. Therrien advised the Board that she was contacted by Ellen Farnsworth regarding an application for a license to hold a special taste testing event during the Machias Blueberry Festival by an entity called Dooryard Shine. The Board reviewed the application. The Board also reviewed an application for a new farmer's market authorization submitted by the same entity. Ms. Therrien noted that the Board would be giving their approval for the organization to sell its products at the farmer's market on Saturdays/Sundays on the Dike.

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

VOTED:

To approve an application for a Special Taste Testing Event license and a Farmer's Market authorization for Dooryard Shine.

6. PURCHASE AND SALE AGREEMENT - MACHIAS REDEMPTION PROPERTY

Ms. Therrien noted that the Town has received a legal opinion from the town's attorney Deke Talbot on the purchase and sale agreement for the purchase of the Machias Redemption building. Ms. Therrien explained that in his letter Mr. Talbot notes that he reviewed the purchase/sale agreement and the property title for the property; she noted that Mr. Talbot's one concern was "when payoff is tendered to Bar Harbor Bank & Trust, the inquiry should be made as to whether the off locus collateral should be released as well." She noted that Mr. Talbot saw no other concerns.

Mr. Pellon asked for information on the sale price for the property; he also noted that there is some misinformation circulating as to who is purchasing the property and with what monies. Mr. Redman said that he has agreed to sell the property to the Town. Mr. Rolfe explained that the purchase price for the property is \$152,000. and that Maine Heritage Trust is giving Machias the funds to purchase the property. Ms. Therrien noted that Maine Heritage Trust is allocating a total of \$158,000. to Machias for the purchase of the property and to address any clean-up costs (if needed).

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

VOTED:

To authorize the Town Manager to sign the purchase and sale agreement under the terms approved by citizens at the April 23, 2019 Special Town Meeting.

7. RESIGNATION - ANIMAL CONTROL OFFICER

The Board reviewed a letter of resignation submitted by Mike Congelosi from his position as Animal Control Officer.

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

VOTED:

To accept a letter of resignation from Mike Congelosi as Animal Control Officer.

Vote On Motion: 3 votes supporting the motion; 2 votes against the motion

Motion Passed

Ms. Therrien advised the Board that she will re-advertise the position.

8. BOTTLE COLLECTION REQUEST - LETTER FROM SCOUTS

The Board reviewed a request from BSA Scouts Troop 125 for placement of a bottle redemption drop box at the Bay Area Transfer Station. Mr. Rolfe asked if Mr. Farley had been consulted; Ms. Therrien said that she had not, as yet, discussed this request with Mr. Farley. Mr. Kitchen noted his support since this would provide a convenience to taxpayers since losing the redemption center and assists in rebuilding the scouting program. Ms. Johnson-Rolfe commented that she supports the concept of the redemption box. She also noted that the Board would have to be open to consider comparable requests from other organizations, as well. It was the consensus of the Board to allow placement of the redemption box with the troop working with the Transfer Station Director.

9. REQUEST FOR STREETLIGHT

Ms. Therrien informed the members of the Board that a person who works in the downtown area, Lee Rose, called the MDOT requesting a stoplight be placed in the downtown area that would replace a crosswalk that the MDOT will not be replacing (extending across Main Street to the Freshies store). Ms. Therrien explained that an MDOT representative then contacted her to discuss the issue. Mr. Kitchen noted that requests such as this open up a push for other sites in town to be covered by pedestrian signs/lights. Ms. Therrien advised the Board that the MDOT maintains that the area does not meet requirements for a stoplight but that they would consider a request from Machias for placement of a stoplight. Mr. Kitchen noted that the MDOT would do an analysis of the need for the stoplight. Ms. Johnson-Rolfe noted her confusion as to what is being asked for by the person who contacted the MDOT; Ms. Therrien noted that the request is for placement of a stoplight. Ms. Therrien advised the Board that the MDOT is waiting for a call-back from her to see if the Board wants the MDOT to conduct a traffic analysis study in that area of Machias. The Board discussed the request for a stoplight at length.

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

VOTED:

To seek advise though formal input from citizens at a public hearing to see if the Board should proceed with a request for the placement of a stoplight on Main Street.

Vote On Motion: 3 votes supporting the motion; 2 votes against the motion (Mr. Jackson/Ms. Johnson-Rolfe)

Motion Passed

Mr. Jackson commented on the need to seek clarification from citizens on crosswalks and/or a crossing light on Main Street. Ms. Johnson-Rolfe commented that a stoplight would cause major traffic congestion all the way up to the college hill area. Mr. Jackson asked where funding for lights would come from. Ms. Therrien said that she thought that the MDOT would pay for a light at no cost to the Town. Ms. Therrien noted that this is the type of question that would be addressed in the downtown comprehensive plan which has public input as an essential part of future planning.

10. APPOINTMENTS - AIRPORT COMMITTEE & DOWNTOWN REVITALIZATION COMMITTEE

Mr. Rolfe noted that there is an issue as to if three Board members serving on a committee constitutes a legal Board meeting. The Board discussed the issue of members being able to serve on committees. Ms. Therrien said that she could ask for clarification from MMA on this question.

11. COMPREHENSIVE PLAN/DOWNTOWN PLAN UPDATE

Ms. Therrien asked the Board to solicit proposals for the development of the downtown comprehensive plan; she noted that the funding and permission to proceed with the comprehensive plan was approved at annual town meeting.

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

VOTED:

To go out to bid for proposals for the downtown comprehensive plan as approved by Machias voters.

12. LETTER FROM NANCY MANCHESTER/SMOKE SOLUTIONS

The Board reviewed a letter submitted to the Board by Nancy Manchester regarding her son's medical marijuana business. Mr. Rolfe pointed out that Ms. Manchester is mistaken since businesses do not need a license for cultivation. It was the Board's consensus to provide Ms. Manchester with this information.

13. NEXT STEP DOMESTIC VIOLENCE - REQUEST TO PLACE RIBBONS

The Board reviewed a request from Next Step Domestic Violence Project asking for permission to hang up purple ribbons on light posts throughout Machias for the month of October for Domestic Violence Awareness month. It was the consensus of the Board of Select-people to allow placement of the ribbons.

14. VEHICLE SPEEDING DATA ON ELM STREET

The Board reviewed the data collected from the speed monitoring device set up on Elm Street. Mr. Rolfe noted that the data indicates that eighty-five percent of vehicle drivers are operating over the posted speed limit by at least ten miles per hour. Members of the Board noted the need for the police department to increase monitoring activities in this

area of town. Ms. Therrien said that she would reiterate to the Police Chief that the Board wants this area of town to be patrolled as much as possible for speeding problems. Mr. Smith pointed out that some of the speeding happening crosses the line to criminal speeding. Mr. Rolfe also suggested that it would be a good idea to communicate that there is a speeding problem on Elm Street to the Maine State Police.

15. RAILINGS AND REPAIRS - BAD LITTLE FALLS PARK

Mr. Rolfe said that he would like to see additional railings placed in problematic areas of Bad Little Falls Park. He added that he would like to see the park spruced up in anticipation of upcoming activities utilizing the park area. The other members of the Board agreed.

16. OVERAGE OF PUBLIC WORKS BUDGET FROM CONTINGENCY

Ms. Therrien advised the Board that spending for winter sanding/salting activities significantly increased this past winter due to the type of road conditions experienced. The members of the Board reviewed the public works budget. Ms. Therrien noted that state statutes allow public works budgets to be overextended by five percent and allow for overages to be paid from a municipality's undesignated fund balance. It was the consensus of the Board to have the over-expenditure covered by funding from the town's undesignated fund balance.

17. PURCHASE OF DESK/CHAIRS FOR TELEBUSINESS CENTER

The Town Manager and the Board discussed purchasing chairs and tables to allow for meetings to be held at the tele-business center. Ms. Therrien suggested purchasing banquet tables, chairs for the audience, and chairs for the Board. The Board asked Ms. Therrien to go ahead and get the additional furniture so meetings can be scheduled at the tele-business center.

18. TRIAL TO HOLD BOARD MEETINGS AT TELEBUSINESS CENTER

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

VOTED:

On a trial basis, to hold Board meetings at the tele-business center and purchase seven office chairs with funding from the contingency account. The Board discussed purchasing needed audience chairs to allow citizens to attend meetings.

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

VOTED:

To purchase as many chairs as feasible with remaining contingency account funds.

19. TELEVISIONING OF BOARD MEETING

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

VOTED:

To have a contingency plan in place by October 1, 2019 to televise Board meetings.

Vote On Motion: 4 votes supporting the motion; 1 vote against the motion (Ms. Johnson-Rolfe)

Motion Passed

The Board discussed the procedural obstacles in the televising of Board meetings. Mr. Kitchen suggested development of an e-mail list to provide agendas, meeting minutes, and meeting reminders to interested parties.

20. NIGHT LIGHTS AT RECREATION/SCHOOL FIELDS

Mr. Whalen pointed out that use of the recreational areas in town has become very popular and he suggested formation of a committee to look at baseball/soccer activities in town.

Mr. Scott Reynolds discussed lighting at the Southside Field with the Board and the increasing use of the field for recreational activities. Mr. Reynolds discussed needed improvements to the school's baseball/soccer field to allow greater use of the facility. He advised the Board that five contractors are willing to install drainage on the field at no cost to the Town. Mr. Reynolds said that a group of people have raised \$50,000. to fund these needed improvements. Mr. Whalen asked if there would be no cost to the town and Mr. Reynolds assured the Board there would be no cost to the Town. Ms. Therrien noted some caution in proceeding with the improvements; she recommended that Mr. Reynolds discuss these plans with the Superintendent of Schools before implementation.

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

VOTED:

To approve the project for the baseball/soccer field as long as the plan conforms to all rules and regulations for construction of certified fields and that Superintendent of Schools Scott Porter supports the project with no cost to Machias taxpayers and that all contractors show proof of liability insurance coverage.

Mr. Whalen asked Mr. Reynolds to call Mr. Porter to advise him of the Board's discussion and motion for improving the field's conditions.

The Board discussed the lighting at the Southside Field. Mr. Rolfe noted the need to have an electrician determine the condition of the lights and recommend what can be done to allow use of the lighting at the field.

21. PURCHASE AND SALE AGREEMENT - RISING TIDE TOWERS LLC

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

VOTED:

To authorize the Town Manager to sign the purchase and sale agreement with Rising Tide Towers LLC.

22. WRITE-OFF PORT ROAD RECYCLING - TRANSFER STATION

Mr. Rolfe advised the members of the Board that the Town has no legal means to collect the debt owed to the Town by Port Road Recycling.

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

VOTED:

To write-off the town's books the amount owed by Port Road Recycling.

23. TABLED ITEMS OF BUSINESS

Mr. Rolfe noted that items that will continue to be tabled are the fund balance information and goals/objectives of the Board for 2019.

24. OTHER BUSINESS

A. Mr. Rolfe suggested an update on sewer sludge from Olver Associates at the Board's July 24th meeting.

B. Ms. Therrien advised the Board that she has provided the Board with information on state revenue sharing.

C. Ms. Therrien informed the Board of repairs to a sewer truck.

D. On a motion by Paula Johnson-Rolfe, seconded by James Whalen, the Board

VOTED:

To appoint Mike Schoppee as the E-911 Addressing Officer.

E. Ms. Therrien suggested utilizing town funds for improvements to the town's recreation area. Mr. Rolfe suggested that the Board look at the fund balance at their next meeting for funding some of the needed work.

On a motion by Paula Johnson-Rolfe, seconded by James Whalen, the Board voted to adjourn the meeting at 8:48 PM.