

BOARD OF SELECTPEOPLE - TOWN OF MACHIAS

JULY 25, 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; Public Works Director Michael Schoppee; Ed Pellon, David Clark, Mary Angarola, Bob Berta, Dallas Ward, Sally Ward, John Prince, Karen Johns.

1. MINUTES - REVIEW AND ACTION

On a motion by Paula Johnson-Rolfe, seconded by Bill Kitchen, the Board voted to approve the minutes of the July 11, 2018 Board meeting.

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #5 in the amount of \$13,935.31; to approve municipal warrant #6 in the amount of \$210,173.64; to approve municipal warrant #7 in the amount of \$15,453.02; and, to approve municipal warrant #8 in the amount of \$110,744.30 .

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

To approve school warrant #3 in the amount of \$203,444.65 .

3. CERTIFICATES OF COMMITMENT FOR SEWER USER RATES

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

To sign and approve a Certificate of Commitment of Sewer User Rates for January-March 2018 and for April-June 2018.

4. GRANT SUPPORT LETTER FOR MLWC

Ms. Therrien advised the members of the Board that the Town will be re-applying for the grant to renovate the town's basketball and tennis court recreational area. The Board reviewed a letter of support to re-apply for the grant. Mr. Kitchen suggested that the letter state that the Board is very involved and committed to renovating the recreational area and he suggested wording in the letter pointing out that the Board is "one hundred percent committed to this project" instead of the wording "very interested".

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

To sign a letter of support for the grant application for renovations to the town's recreational area.

Mr. Pellon expressed concern that the area cannot be used by youth since there are construction vehicles being parked there. He suggested that the construction company be asked to locate their equipment elsewhere and he pointed out that construction companies usually allocate funding for equipment storage in their bid submission. Mr. Whalen agreed with Mr. Pellon's assessment of the inclusion of equipment storage costs as part of a company's bid package and that construction companies usually address vehicle storage. Mr. Kitchen noted that the parking of this equipment was initially only in the skateboard park area but now the equipment has migrated to the tennis courts. Mr. Rolfe noted that the contractor never asked for permission to park in the recreational area and that the Board requests that the contractor not use this area for equipment storage. Ms. Therrien said that she would speak with the company. She explained that the contractor was only to use the turn-around area and there was never a discussion of using the basketball and tennis courts for parking equipment. Ms. Therrien advised the Board that the contractor had agreed to assist with the removal of debris and fencing from the area to help the Town out.

5. BID OPENINGS FOR LOANS

Ms. Therrien advised the Board that only one bank submitted a bid in answer to the request for bids on three loans. She told the Board that she had sent the request for bids to five local banks and placed the bid request on the town's website.

Loan #1: Purchase of school bus in the amount of \$86,000. for a five year term
Bid from Machias Savings Bank for 3.09% fixed rate; annual payment of \$18,851.05
with stipulation that the Town maintain a comprehensive relationship with the bank

Loan #2: Airport funding in the amount of \$250,000. for a five year term
Bid from Machias Savings Bank for 3.09% fixed rate; annual payment of \$54,799.57

Loan #3: Truck financing, roof, roll other outstanding loans together in package in the amount of \$445,000.
Bid from Machias Savings Bank for 3.09% for a five year term; annual payment of \$97,543.24

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

VOTED:

To accept the bid on the three loans from Machias Savings Bank at the fixed rate of 3.09% on each of the three loans.

6. BID OPENING - PUBLIC WORKS DEPARTMENT TRUCK

Bids on used 6-wheeler

Patriot - \$39,700. for a 2008 Freightliner

Freightliner of Maine - \$29,000. for a 2006 Sterling

- \$41,500. for a 2004 International

- \$37,500. for a 2006 International

- \$51,000. for a 2010 International

Daigle & Houghton - \$35,500. for a 2007 International

Bids on used 10-wheeler

Whited Truck Center - \$46,000. for a 2005 International

Freightliner of Maine - \$72,500. for a 2011 International

- \$58,000. for a 2004 International

- \$54,000. for a 2007 Sterling

Daigle & Houghton - \$55,000. for a 2006 International

Bids on new 6-wheeler (vehicle/snowplow package/power angle

Whited Truck Center - \$150,398. for a 2019 Peterbilt

Freightliner of Maine - \$165,750. for a 2019 Western Star

- \$156,443. for a 2019 Freightliner

Portland North Truck Center - \$136,820. for a 2019 International

Patriot - \$161,700. for a 2019 International

Colwell Diesel - \$132,000. for a 2019 Western Star

Patriot - \$183,900. for a 2019 Freightliner

- \$160,600. for a 2019 Freightliner

H.P. Fairfield - \$66,495. for a custom built (no truck)

Portland North Truck Center - \$152,000. for a 2018 International

Daigle & Houghton - \$153,070. for a 2019 Western Star

- \$138,812.36 for a 2019 International

Bids on new 10-wheeler

Daigle & Houghton - \$157,332.49 for a 2019 International

- \$182,736. for a 2019 Western Star

Colwell Diesel - \$167,000. for a 2019 Western Star

- \$108,408. for a 2019 International

Freightliner of Maine - \$186,850. for a 2018 Western Star

- \$167,835 for a 2019 Western Star

Ms. Therrien reminded the Board that the purchase of a Sterling is out of the question since no service or parts are available for these trucks. She pointed out that after the purchase of this equipment for the Public Works Department there should be no major equipment purchases needed by this department for at least the next five years. Ms. Therrien noted that these truck bids need to be reviewed carefully to make the most advantageous purchase. Mr. Schoppee advised the Board that he had examined the used 2011 International 10-wheeler located at Freightliner of Maine and found it to be in excellent condition; he noted that this truck was in the University of Maine at Orono snow removal fleet and was used to move snow to an off-campus area.

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

VOTED:

Based on the recommendation of the Public Works Director, to authorize him to inspect and purchase the 2011 used 10-wheeler with 47,000 miles for the purchase price of \$72,500.

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

Based on the complexity and number of the bids, to refer the bids for the purchase of a new truck to the Town Manager and the Public Works Director to review and make a recommendation to the Board.

7. BID OPENING - TAX AND SEWER ACQUIRED PROPERTY

Mr. Rolfe explained that he had been approached by taxpayers and members of the Board to look again at allowing adjacent property owners to have first refusal on tax-acquired properties being sold by the Town. Mr. Kitchen said that he would support allowing abutting property owners to purchase adjacent property if they meet the minimum bid to recoup the past-due taxes and charges on properties. Mr. Rolfe questioned if there should be a policy in place to address this issue? He noted that it could be difficult to maintain this procedure if it were to happen often without a policy in place. Ms. Therrien suggested that abutting property owners could be given notice that abutting property acquired by the Town for non-payment of taxes and sewer charges is being sold by the Town. Ms. Johnson-Rolfe pointed out that a policy is needed, the Board needs to be fair to everyone, and such a situation warrants equal treatment for everyone.

Ms. Therrien noted that the problem is a lack of policy and she suggested that notice be sent to all abutting property owners as notification that the Town is selling adjacent property. Mr. Whalen suggested allowing citizens to choose the policy. Mr. Kitchen suggested advertising property for sale at fair market value to anyone interested in purchasing the property. Mr. Rolfe questioned who would determine the fair market value of the property? Mr. Whalen suggested asking the Town Manager to develop a working policy document for the Board to consider when selling tax-acquired property. Mr. Schoppee pointed out that there is a warrant article passed at the last town meeting authorizing the Board to sell property as they deem necessary. Ms. Johnson-Rolfe commented that it is not fair to bidders to open their bids in a public forum and then delay the process after bids are opened.

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

To modify the Board's policy to notify abutting property owners in writing of the sale of tax-acquired property adjacent to their property.

Bids - property located at Map 3, Lot 35 - Kennebec Road (\$1035. minimum bid)

Shannon Smith - \$1400.

Gary Huntley - \$2151.76

John Prior - \$1750.

John Frazier - \$5050.

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

To accept the bid of \$5050. from John Frazier for the purchase of property at Map 3, Lot 35.

Bids - property located at Map 11, Lot 55 - 28 Pleasant Street (\$965. minimum bid)
Alan Huntley - \$3100.

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

To accept the bid of \$3100. from Alan Huntley for the purchase of property at Map 11,
Lot 55.

Bids - Property located at Map11, Lot 47 - 60 Water Street (\$3850. minimum bid)

Gudrun Franz - \$3850.

Melissa Hinerman - \$5051.

Casey Taylor - \$5700.

John Frazier - \$2150.

Gary Huntley - \$12,176.51

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

VOTED: To accept the bid of \$12,176.51 from Gary Huntley for the purchase of
property at Map 11, Lot 47.

8. TRANSFER STATION BUILDING COST AND ELECTRICAL QUOTE

Ms. Therrien advised the members of the Board that the cost of the pre-fabricated building for the transfer station was \$3395. She noted that she checked with another company as suggested by a member of the Board and found that company's cost for the same size building was \$3880.

Ms. Therrien noted that Border Electric quoted \$2950. to do the electrical work for the building. Mr. Pellon suggested reaching out to local electricians for price quotes, as well. Ms. Therrien said that she was getting estimates for a cement slab and quotes on finishing the interior of the building. The Board gave their consent for the Town Manager to obtain quotes on the slab and the electrical work. Ms. Therrien reminded the Board that contract towns had requested that the changes at the transfer station be implemented by 10/1/18.

9. BAD LITTLE FALLS PARK - ELECTRICAL WORK QUOTE

Ms. Therrien advised the Board that Border Electric quoted \$5600. for electrical work at the Bad Little Falls Park adjacent to the sub-station and \$4300. for electrical work by the town gazebo. The Board discussed how this work would be funded. The possibility of using TIF funds was discussed as a possible funding alternative. Ms. Therrien said that she would need to check if TIF monies could be utilized and also obtain additional quotes on the electrical work. The Board also discussed the use of the park if the electrical work is done. Ms. Therrien commented that the project might also be divided up into phases due to the cost.

10. CLOSURE OF TOWN OFFICE FOR TAX BILL PROCESSING

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

To close the Machias Town Office on August 8, 2018 to allow personnel to process tax bills.

11. SIDEWALKS, CURBS, ROADS - REQUEST BY MR. WHALEN

Mr. Whalen noted that there are many sidewalks which have disappeared and need to be reclaimed. He pointed out that some sidewalks on Center Street, Court Street, and Broadway have disappeared. Mr. Whalen noted that on Main Street there are portions of the brick sidewalk that are in "rough shape" and there are some issues with the granite curbs. He suggested the development of a plan along with estimated costs for revitalizing the sidewalks. Ms. Therrien commented that the Board can provide her with some direction as to what they want estimates on and the priority of addressing the problems. Mr. Schoppee pointed out if the problem is on a state road the MDOT wants engineering done first before anything else and he noted that engineering costs are significant. Ms. Therrien said that she could get quotes for sidewalk work on upper Court Street, Center Street, and parts of Broadway and the Board can examine how much reclaiming the sidewalks will cost. Mr. Schoppee pointed out that many of the sidewalks have sunken into the ground with years and years of dirt and sand piled on top of them. Mr. Whalen pointed out that many roads still have much sand covering them and he questioned that there must be some way to clean the sand off the streets. Mr. Rolfe suggested looking into how much a sweeper would cost.

12. CONTRACT ON AIRPORT RECONSTRUCTION

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

VOTED:

To authorize the Town Manager to sign the contract with Lane Construction for the airport reconstruction project.

13. PROPOSED ADULT USE MARIJUANA ORDINANCE

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

VOTED:

To table discussion of the proposed adult use marijuana ordinance.

14. LARGE SIGNAGE FOR MACHIAS TOWN OFFICE

Mr. Rolfe advised the Board that a 52X52 inch one-sided electronic sign could be purchased for \$5000. and he noted that an additional cost would be for power installation. Ms. Therrien advised the Board that there will probably need to be a special town meeting called sometime in the Fall to act on a cell tower ordinance and a revision to the building permit ordinance and this would be a good time to ask citizens for permission to allocate the funding for the sign from the undesignated fund balance. Mr. Rolfe suggested that the purchase could be funded out of the contingency account. Mr. Kitchen suggested

developing a sponsorship for a sign. Mr. Rolfe said that the Board and the Town Manager will continue to research purchasing of a sign for the town office.

15. DISCUSSION OF SENATE CAMPAIGN OF TOWN MANAGER

Mr. Whalen said that he would like to know how to respond to citizens asking about Ms. Therrien's campaign for elected office versus her job as Machias Town Manager. Mr. Whalen commented that concerns have been expressed to him by taxpayers who comment that they think it would be difficult to divide the time needed for both jobs and that taxpayers are worried for the Town if Ms. Therrien is elected. Mr. Rolfe commented that the Board shares these concerns and that there has been no agreement on anything. Joh Prince, a member of the audience, commented that there is a possible conflict of interest and there are concerns at the town level and at the state level. Mr. Rolfe stated that although there are concerns, having Ms. Therrien in the senate may be of great benefit to Machias and Washington County.

Ms. Therrien said that she believes that she could be of great benefit to Machias and Washington County if elected to the legislature. She pointed out that she wanted to make it abundantly clear that her first priority would be to her position as Machias Town Manager. Ms. Therrien explained that she was approached and asked to consider running for the office; she advised the Board that she has discussed issues of potential conflicts of interest with Maine Municipal Association and the elections bureau and that both entities see no conflicts of interest. As to the amount of time she would need to be in Augusta, Ms. Therrien said she was unsure, she told the Board that an idea she had was to employ a part-time intern with some education/training in public administration who would assist in the town office during her absences in Augusta.

Mr. Rolfe commented that he does not know how much being in the senate would affect the job of town manager, he stated that if the impact is negative, the Board will need to think about the Town as the priority in the situation. Ms. Therrien added that it is good to have an open conversation with honest feedback from the members of the Board and she said that she has been very up-front and frank with the Board.

Mr. Whalen pointed out that the Town is paying a salary to a town manager who is doing an excellent job and that now that the Board has had this discussion with Ms. Therrien he is satisfied that no one knows what will happen at the present time but that things might change. Ms. Johnson-Rolfe said that she supports Ms. Therrien's running for office and that she sees the advantages and the disadvantages in this situation. She commented that Ms. Therrien does a good job as town manager but that the Board can't guarantee continued employment if there is a negative impact and that the Board is not going to deceive Ms. Therrien as to the belief that the Town must be Ms. Therrien's first priority. Ms. Johnson-Rolfe said that she is undecided as to the impact that having Ms. Therrien in the senate will have on her position of town manager.

Mr. Kitchen said that he supported Ms. Therrien's decision and fully agrees there are tremendous career advantages as well as sacrifices in being elected to state government. He added that he sees concerns but that with Ms. Therrien as Town Manager he "sees much going on in Machias than has happened in a long time".

Ms. Therrien noted that any member of the Board can attest to how much time she spends on the job as Town Manager. She added that she is not trying to hide anything from the

Board and that she has been very truthful about this opportunity with everyone. Ms. Therrien said that she wants Washington County to be represented in state government. She noted that taking on this opportunity will create extra work and extra stress and she takes the comments the members of the Board and the public have made with utmost sincerity. Ms. Therrien commented that she is appreciative of and comfortable with this discussion because everyone is being honest and forthright. Ms. Therrien told the Board that she will not jeopardize her job as Machias Town Manager and that she will take all the thoughts and comments and analyze them to make the right decision. Mr. Rolfe thanked the members of the Board and the audience for their honest opinions.

16. OTHER BUSINESS

Sally and Dallas Ward expressed their concerns regarding a medical marijuana business recently opened adjacent to their residence on the Kennebec Road.

On a motion by Paul Johnson-Rolfe, seconded by Bill Kitchen, the Board voted to adjourn the meeting at 9:05 PM.