

BOARD OF SELECTMEN - TOWN OF MACHIAS

OCTOBER 12, 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; Police Chief Grady Dwelley; Fire Chief Joey Dennison; Nathan Pennell, Josh Bragg, Wayne Robbins, Shar Landers, David Clark, Mary Angola, Bill Sternberg, Bill Kitchen, Cat Cannon.

1. MINUTES - REVIEW AND ACTION

On a motion by Warren Gay, seconded by Josh Rolfe, the Board voted to approve the minutes of the September 28, 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 #29 in the amount of \$10,416.32; to approve municipal warrant #30 in the amount of \$508,457.87; to approve municipal warrant #31 in the amount of \$13,568.75; to approve municipal warrant #32 in the amount of \$464.07; and, to approve municipal warrant #33 in the amount of \$429,307.91 .

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

To approve school warrant #16 in the amount of \$277,267.36 .

3. SOLID WASTE DISPOSAL CONTRACT/GAMES OF CHANCE DOCUMENTS

The Board of Selectmen signed the solid waste contract returned by the Town of Marshfield and an application from the American Legion Post #9 to conduct games of chance.

4. MACHIAS/WHITNEYVILLE BOUNDARY LINES

Mr. Nate Pennell, selectman of the Town of Whitneyville, discussed with the Board an issue that has come up regarding the exact location of the Machias/Whitneyville town line; he explained that there is a dispute over the boundary lines between some land owners. Mr. Pennell explained that the situation involves a wood harvester who was hired to cut wood off one property with the complication of owners of adjoining properties arguing that a portion of their land was harvested. Mr. Pennell explained that the issue is where the exact location of the town boundaries are located since some of the property deeds for the land in question describe the Machias townline as being one of the

boundary markers. Due to this problem, Mr. Pennell proposed that the cost of having the location of the Machias/Whitneyville town line researched/determined be shared equally between the two towns. It was noted this research could cost as much as \$10,000. Mr. Pennell noted that Mr. Josh Bragg of CES was at the meeting to answer any questions about the scope of work that would need to be done to locate the townline. Mr. Whalen questioned if there should have been a forestry permit issued to harvest the woodlot; he pointed out that the harvester should be responsible for his actions. Mr. Pennell commented that it is not known exactly where the townline is located. Mr. Whalen pointed that if the wood harvester did not know where the boundary lines were located he should have determined this beforehand. Mr. Whalen indicated that Machias does not have an argument with the wood harvester but that the owner of the woodlot and the adjoining property owners should bear the cost of determining their property lines. Mr. Pennell said that the towns should know where their townlines are located. Mr. Whalen commented that up to now there has been no issue with the location of the townlines and that it is up to the property owners to pay for the cost of determining their property lines.

Mr. Carter stated that the real issue that needs to be addressed is the exact location of the townline. Mr. Bragg explained that the two boards would determine the location of the townline based on the information he could provide to them after performing research into the question. Mr. Gay observed that there is a need to know where the town boundaries are located. Mr. Bragg noted that the deeds of the adjacent property owners use the location of the townline as markers in their deed descriptions. Mr. Carter noted that the Machias Board of Selectmen will contact its attorney for advice on how to proceed with this problem and will discuss how the Board will address this issue at their next scheduled meeting.

5. APPROPRIATION FOR HALLOWEEN CANDY

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

VOTED:

To appropriate \$200. from the contingency account for the purchase of Halloween candy for trick-or-treaters.

6. BID OPENING - LOAN PROPOSALS

Members of the Board opened the bids received on a \$100,000. loan for renovations at the Machias Telebusiness Center (term of 7 years), a \$200,000. loan for improvements to the Machias Public Safety Building (term of 10 years), and a \$231,000. loan for paving costs for streets and roads (term of 10 years).

Bids:

Machias Savings Bank -

2.19% on \$100,000. loan for 7 years; \$5,582.89 payments (no bond required) -

2.49% on \$200,000. loan; for 10 years; \$22,882.85 payments (no bond required) -

2.49% on \$231,000. loan for 10 years; \$26,429.00 payments (no bond required)

Bangor Savings Bank -

- 1.79% on \$100,000. loan for 5 years; total payments of \$105,432.76 (cost of bond council to be borne by the Town) --
- 1.79% on \$200,000. loan for 5 years; total payments of \$210,865.52 (cost of bond council to be borne by the Town) --
- 1.79% on \$231,000. loan for 5 years; total payments of \$243,549.67 (cost of bond council to be borne by the Town)

It was pointed out that only the bid from Machias Savings Bank meets the bid specifications as to the length of the term of the individual loans as stated in the bid specifications.

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

VOTED:

To award the bid on the three municipal loans to Machias Savings Bank as follows: 2.19% on the \$100,000. loan for 7 years; 2.49% on the \$200,000. loan for ten years; and, 2.49% on the \$231,000. loan for ten years.

Ms. Therrien noted that the funds will be drawn down as needed for the individual projects.

7. CITIZENS PETITION FROM RESIDENTS OF LYONS STREET

Ms. Therrien noted that the Board has a copy of a petition from citizens residing on Lyons Street regarding complaints about a barking dog. Chief Dwelley advised the Board that he will be addressing this issue with the owner of the dog.

8. TOWN OFFICE REPAIRS - UPDATE

Ms. Therrien updated the Board on repairs to the Machias Town Office building. She informed the Board that lighting for the building (\$4000.) has been finished and that there is still a door that needs to be replaced. Ms. Therrien noted that there is \$33,000. left in the building account and that she will put together a list for the Board to review of any remaining work to be done to the building.

9. RECOMMENDATION TO HIRE FULL-TIME POLICE OFFICER

Chief Dwelley advised the Board that he would like to put a candidate before them for consideration for the full-time police officer's position. He asked the Board to consider hiring Mr. Wayne Robbins to fill the position. Chief Dwelley reviewed Mr. Robbins qualifications, training, and employment history. Chief Dwelley also reviewed recommendations from Mr. Robbins previous employers; he asked the Board for permission for Mr. Robbins to start working for the Town of Machias as soon as possible. Ms. Therrien added her support for hiring Mr. Robbins based on his employment application and recommendations from previous employers.

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

VOTED:

To hire Mr. Wayne Robbins as a full-time police officer effective 10/13/16 at Step 1 of the salary scale.

10. FIRE DEPARTMENT - PROPOSAL FOR BUILDING TO HOUSE LADDER TRUCK

Fire Chief Joey Dennison noted that when the Board approved the purchase of a ladder truck for the Machias Fire Department the need to house the vehicle was discussed and the Board had expressed their support in housing the vehicle under cover. Mr. Dennison expressed his belief that it was imperative to house the ladder truck over the upcoming winter to protect it from the elements. With this in mind, he advised the Board that his department has done some research into a viable solution for the Board to consider. Mr. Dennison explained that he has the cost estimate for a 40X60 foot steel-framed metal building with two fourteen foot doors on the front and a twelve foot door on the rear for the Board to review; total cost for the project, the building and the construction, would be \$116,906. with all engineering included in the construction contract. The Board reviewed the cost estimates for the building. Mr. Dennison advised the Board that this new building would allow more room in the public safety building to house the ambulance and police vehicles. Mr. Dennison and the members of the Board discussed the quotes and discussed various aspects of the construction of the building. As to discussion of the foundation foundation, Mr. Dennison noted that it would cost an additional \$6000. for a frost wall versus the cost of a concrete slab. The Board discussed formally waiving the municipal bid process in light of the need to proceed with this project as soon as possible due to the lateness in the year.

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

VOTED:

To waive the municipal bidding process and proceed immediately with plans to purchase and construct a steel framed building to house fire department vehicles.

11. SPLIT EMPLOYMENT POSITION - PUBLIC WORKS/TRANSFER STATION

Ms. Therrien noted that one application was received in response to the advertisement for the newly created employment position equally shared between the Public Works Department and the Bay Area Transfer Station. Ms. Therrien recommended that Mr. Joel Hamilton be hired to fill the position. Ms. Therrien and the Board discussed the salary for the position.

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

VOTED:

To hire Joel Hamilton for the full time position (1/2 Public Works & 1/2 transfer station) with the salary set at an entry level public works wage.

Ms. Therrien noted that the creation of this full-time position eliminates the part-time positions at the transfer station and in the public works department. Mr. Carter noted that this position would probably be considered a union position.

12. SEWER FORECLOSURES

The Board reviewed a data sheet prepared by Ms. Therrien on sewer foreclosures. After reviewing the list, Ms. Therrien recommended that the two mortgage companies which have contacted the Town of Machias regarding two of the properties be allowed to pay off the outstanding balances on 12 Cooper Street and 24 Broadway.

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

VOTED:

To allow the mortgage companies to pay the balances in full on properties located at 12 Cooper Street and 24 Broadway no later than close of business on 11/1/16.

Mr. Rolfe commented that he was worried that the Board was setting a precedence by allowing the mortgage companies to redeem these two properties. Ms. Therrien said that it was clear that the mortgage companies intended to pay all outstanding taxes owed on the property but somehow were not aware that the sewer charges had been allowed to accrue by the previous property owners.

Ms. Therrien advised the Board that there is a payment agreement on property located at 7 School Street; she noted that the owner is abiding by an agreement to pay down the balance due on the property.

Ms. Therrien explained that there are four other properties which have been legally foreclosed on: 38 Water Street, 7 Free Street, 105 Dublin Street, and 22 Gardner Avenue. Ms. Therrien noted that the previous property owners are still living at 7 Free Street. She recommended sending the tenants living at 105 Dublin Street a notice that the Town of Machias is now the owner of the property and will be selling the property. As to the disposition of 22 Gardner Avenue, Ms. Therrien suggested sending an eviction notice to the former owner and seek assistance from a social service agency caseworker to assist the owner as to moving off the property as well as addressing the moving of personal affects. Lastly, Ms. Therrien recommended selling 38 Water Street to the highest bidder. Mr. Rolfe said that he would really want to know the disposition of the properties at 12 Cooper Street and 24 Broadway before proceeding any further. The other members of the Board agreed to wait to see if the two mortgage companies pay the balances on these two properties before addressing the disposition of the remaining properties now owned by the Town of Machias.

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

VOTED:

To delay action on the remaining foreclosed properties until the mortgage companies pay the balance of sewer charges for 12 Cooper Street and 24 Broadway.

13. BID ON PROPERTY LOCATED AT 24 GARDNER AVENUE

Ms. Therrien advised the Board that the Town received a bid from Renee Dinsmore offering \$12,000. for the property located at 24 Gardner Avenue.

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

VOTED:

To accept the bid for purchase of 24 Gardner Avenue from Renee Dinsmore in the amount of \$12,000.

14. TOWN MANAGER'S REPORT

A. Ms. Therrien called the Board's attention to a notice to proceed letter from Stantec on the rotating beacon, windcone, and segmented circle project.

B. Mr. Whalen expressed concern over the growing metal disposal area at the transfer station. Ms. Therrien reported that there is an on-going effort to remove the metal.

C. Mr. Gay reported that he has a community service volunteer to paint guardrails.

On a motion by Warren Gay, seconded by Leslie Haynes, the Board voted to adjourn the meeting at 7:25 PM.