

BOARD OF SELECTMEN - TOWN OF MACHIAS

NOVEMBER 30, 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; William Thompson, Andrew Mulholland, Bob Berta, Cat Cannon, Edward Pellon, Mike Schoppee, Bill Burke.

1. MINUTES - REVIEW AND ACTION

On a motion by Josh Rolfe, seconded by Leslie Haynes, the Board voted to approve the minutes of the November 9, 2016 Board meeting with the following corrections:

Page 2, Item #5 should read: "Ms. Therrien explained that last winter there was an issue with the antique lights in the downtown area since the lights were not up to code. She noted that she had Dave's Electric look at the lights and this contractor quoted \$5122.69 to do the necessary work to bring the lighting up to code. Ms. Therrien added that \$2015. of that amount will be rebated from Efficiency Maine for a total cost to the Town of \$3097.69 . Ms. Therrien reviewed a data sheet on the TIF with Machias Savings Bank and explained that funding for the Main Street lighting project can be allocated from this account. Mr. Whalen questioned why the town manager utilized this electrical contractor for the work; Ms. Therrien explained that this electrician had previously worked on the downtown lights and was familiar with them, he is a local electrician, and he assured her that the work on the lights would be completed before Christmas."

Page 2, Item #7 should read: "Ms. Therrien reminded the Board of the significant changes the federal government is making to the local flood plain maps; she noted that along with these designation changes will come increased flood insurance rates and the possibility that buildings may not be rebuilt in the designated flood zone. Ms. Therrien recommended that the Board of Selectmen may want to hire a consultant who could complete a preliminary objection to the proposed changes. She warned the Board that if an objection is not filed the Town and its property owners will have to abide by these changes. Ms. Therrien noted that the cost to file a preliminary objection would be approximately \$2500. The Town Manager noted that Judy East has tried to file an appeal but had been advised that she is not a municipality and cannot appeal the flood map changes. Mr. Rolfe commented that local property owners do not grasp the seriousness of the impact of the flood map changes. Ms. Therrien warned that if the changes are allowed to stand that Machias will have to abide by the changes and have no right to appeal."

2. WARRANTS - REVIEW AND ACTION

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

To approve municipal warrant #42 in the amount of \$11,321.81; to approve municipal warrant #43 in the amount of \$339,008.51; to approve municipal warrant #44 in the amount of \$18,206.33; to approve municipal warrant #45 in the amount of \$158,025.71; to approve municipal warrant #46 in the amount of \$13,963.09; to approve municipal warrant #47 in the amount of \$12,586.31; and, to approve municipal warrant #48 in the amount of \$340,629.62 .

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

To approve school warrant #22 in the amount of \$238,331.60 .

3. NEW YEAR'S EVE CELEBRATION PLANS - BILL BURKE

Mr. Bill Burke distributed a listing of activities scheduled for the upcoming New Year's Eve celebration. He advised the Board that this was a tentative schedule of activities and may change slightly as the celebration nears. The Board reviewed the list of activities. Mr. Burke asked the Board if the town would provide extra trash cans in the area of the celebration activities and provide extra police patrols on the evening of the celebration. Mr. Burke noted that the celebration is advertised as a family event and no alcohol is allowed. Ms. Therrien noted that the police department will want to be informed of the area of the fun run and that the ambulance service should be made aware of the activities and where the activities will be held. Mr. Carter thanked Mr. Burke for providing the Board with the information on the celebration.

4. QUOTES ON PURCHASE OF PHOTOCOPIER FOR TOWN OFFICE

Ms. Therrien informed the Board that she had contacted two companies on the purchase of a new photocopier for the Machias Town Office; she advised the Board that she received a quote from Transco and from Kinney Office Systems. She reported the following quotes from the two companies:

Transco - Purchase price of \$3541. with service cost of \$29.00 per month
(includes 2918 black/white pages per month)
(includes all toners, parts, travel and labor, except paper)

Kinney Office Systems - Purchase price of \$4200. with annual service/maintenance cost of \$395. (includes first year of labor, parts, and toner)

The Board reviewed the bid quotes as Ms. Therrien reviewed them. Ms. Therrien explained that she tried to contact the business which provided the town's last copier but she received no response. The Board discussed the two quotes. Mr. Rolfe said that he was curious about the difference between the cost of purchasing versus the cost of

leasing, specifically if there is a cost efficiency with leasing.

Ms. Therrien recommended that the Board purchase the new photocopier from Kinney Office Systems based on the quotes received..

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

VOTED:

To purchase a photocopier from Kinney Office Systems with the funding for the purchase to be allocated from the building fund.

5. APPOINTMENTS TO THE WASHINGTON COUNTY COUNCIL OF GOVERNMENTS

The Board discussed appointing two members to represent Machias on the Washington County Council of Governments.

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

VOTED:

To appoint Aubrey Carter and Christina Therrien to the Washington County Council of Governments as representatives of the Town of Machias.

6. CODE VIOLATION AT 12 HIGH STREET - RESPONSE FROM OWNER OF PROPERTY

Ms. Therrien advised the Board that the Code Enforcement Officer has not received a response from a letter notifying the owner of the property at 12 High Street of a code violation and that the CEO wants the Board's direction as to how to proceed. Actual ownership of the property was discussed; it was noted that the person who was sent the violation notice may not actually be the owner of the property. It was suggested that the ownership of the property be checked on and that the CEO send another notice with a "reply by" date included on the notice.

7. CITIZEN CONCERN ON DUBLIN STREET TRAFFIC STUDY

Mr. Bill Thompson directed the Board's attention to a 10/5/16 e-mail to revitalization committee members regarding a potential change to the turning lane in front of his business, Tom's Mini Mart. Mr. Thompson noted that he was not lodging a complaint but that he wanted to express his concern to the Board that the MDOT might be looking at preventing left-handed turns into his business. He noted that he has information that the MDOT is looking at moving the turning lane for the Kennebec Road further down Dublin Street towards the Blue Bird Motel. Ms. Therrien explained that the information sent the the MDOT is a list of ideas/thoughts to get the MDOT's comments and opinions; she noted that changing the middle lane in front of Mr. Thompson's business is not a recommendation from the Town but that only this information was sent to get some input from the MDOT. Mr. Thompson said that he was alarmed as a business owner when he read the e-mail because prohibiting left hand turns would greatly affect his business. Mr. Carter thanked Mr. Thompson for discussing this issue with the Board.

8. FIRE DEPARTMENT - FIRE PREVENTION EDUCATION

Ms. Therrien explained that she wanted to put into the record the efforts the Machias Fire Department is making in providing fire prevention education at local schools. She noted that she wanted to thank the department for their efforts. Mr. Carter added the Board's appreciation to the fire department.

9. FIRE DEPARTMENT - REQUEST TO HIRE PERSONNEL,

Ms. Therrien informed the Board that the Fire Chief is recommending that three people be added to the fire department roster - Natalie Manco, Jacob Hanscom, and Joseph Thompson.

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

VOTED:

To appoint Natalie Manco, Jacob Hanscom, and Joseph Thompson to the Machias Fire Department with the requirement that each appointee complete a fit for duty physical within six months.

10. PROJECT CANOPY GRANT PROPOSAL - DOWNTOWN REVITALIZATION GREENSPACE COMMITTEE

Ms. Therrien advised the Board that the downtown revitalization committee would like to apply for a Project Canopy Grant to obtain funds to beautify the town.

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

VOTED:

To authorize the downtown revitalization committee to submit a Project Canopy Grant proposal.

11. MACHIAS WASTEWATER TREATMENT PROPOSAL FOR SIPHON JETTING & VACUUMING

Ms. Therrien noted that bids to perform siphon jetting and vacuuming at the treatment plant were solicited and the low bidder was Ted Berry Company Inc. at a cost of \$3,250.00 per day.

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

VOTED:

To accept the contract with Ted Berry Company Inc. at a cost of \$3,250. per day for siphon jetting and vacuuming.

12. CHRISTMAS PARTY FOR TOWN EMPLOYEES

Ms. Therrien discussed with the Board the scheduling of the annual employee Christmas party.

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

VOTED:

To hold the annual employee Christmas party on December 16th from 11:00 AM to 1:00 PM at the town garage.

13. DRAFT TRANSPORTATION MOBILITY AND SAFETY REPORT

Ms. Therrien pointed out that the Board has copies of the draft Machias Transportation Mobility and Safety report from the Washington County Council of Governments for review and comments. She noted that she would place this topic on a future agenda to gather the Board's comments.

14. BID OPENINGS - TOWN ACQUIRED PROPERTIES FROM NON-PAYMENT OF SEWER CHARGES

Members of the Board opened the bids received on the sale of properties acquired by the Town from non-payment of sewer charges.

Bids:

#1) 105 Dublin Street (Map 9 Lot 39-001) - R. Eckendorff - \$4,642.00

On a motion by Josh Rolfe, seconded by James Whalem, the Board

VOTED:

To accept the bid from R. Eckendorff in the amount of \$4,642. for the purchase of 105 Dublin Street.

#2) 7 Free Street (Map 11 Lot 123) - No Bids

#3) 38 West Street (Map 11 Lot 54) - No Bids

#4) 12 Cooper Street (Map 14 Lot 91) - Melody Steadman - \$1,660.00
- R. Eckendorff - \$1,501.00
- Lorraine Main - \$15,000.00
- Richard & Paula Johnson Rolfe - \$1,959.50
- Andrew Mulholland - \$10,100.00

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

VOTED:

To accept the bid from Lorraine Main in the amount of \$15,000. for the purchase of 12 Cooper Street.

The Board discussed keeping the unsold properties listed on the town's web site as being for sale for their minimum bids.

15. ESTABLISHMENT OF MAXIMUM PARKING IN MUNICIPAL PARKING LOTS

Ms. Therrien explained that she found a parking ordinance (stopping, standing, and parking) in the town's archives; she suggested that the Board review the document for changes and adopt the ordinance. She particularly noted problems with vehicles on very narrow streets in Machias.

Public Works Director Mike Schoppee advised the Board that he sees a problem with people parking their vehicles in municipal parking lots for a prolonged period of time; he noted that these people are basically storing their vehicles in the parking lots. Mr. Schoppee observed that the biggest problem area is the downtown municipal parking lot behind the hardware store. Mr. Schoppee pointed out one vehicle in this parking lot has not been moved for eleven months.

Mr. Bob Berta stated that he was concerned that he was being treated differently as a disabled person using a handicapped parking space in a public parking area. Mr. Berta said that Axiom is allowed to use a municipal parking lot for its vehicles and nothing is done about this situation. He distributed a list of unpaid invoices for ads he said the Town placed in his newspaper back in 2015 and complained that the Town has not paid for this service.

Ms. Therrien commented that Axiom had a vehicle parked in a municipal parking lot with a flat tire and she asked that the vehicle be removed and that the business owner was very responsive. Ms. Therrien noted that the problem with the parking lots is that it appears that the lots are being used as storage for vehicles. She noted that the problem with one person not moving a vehicle from a handicapped parking space is that no one else is being allowed to use that parking space.

Mr. Carter commented that if the Town owes for the ads then the invoices should be paid. Mr. Berta said that he can provide the tear sheets for the invoices. Ms. Therrien noted that the Town Clerk has reviewed the invoices and maintains that she did not authorize the paid publishing of the ads. Mr. Carter commented that the Board will look into the status of the invoices.

On a motion by James Whalen, seconded by Warren Gay, the Board
VOTED:

To hold a final discussion on an ordinance addressing parking at the ordinance workshop to be held on December 14th at 5:30 PM.

16. MORATORIUM ON MARIJUANA SALES

Mr. Carter pointed out that the Board had tabled a moratorium on the sale of marijuana.

Mr. Carter asked that the Town Manager develop a list of tabled items to enable the Board to keep track of agenda items which remain on the table for future discussion.

17. DRAFT PROPERTY MAINTENANCE ORDINANCE

Ms. Therrien advised the members of the Board that they have a copy of the draft property maintenance ordinance for their review.

18. TOWN MANAGER'S REPORT

A. Ms. Therrien asked the Board for permission to sign an amendment allowing Olver Associates to proceed with sewer work.

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

VOTED:

To authorize the Town Manager to sign the 11/8/16 amendment agreement with Olver Associates and to proceed with the work.

B. Ms. Therrien noted receipt of notification from Maine Municipal Association for 2016 worker's compensation fund benefits in the total valued amount of \$9,296.

C. Ms. Therrien informed the Board that she provided them with a copy of the road repair roster with actual costs.

D. Ms. Therrien pointed out that the Board has copies of the monthly operations report for the wastewater treatment facility, a copy of an 11/8/16 letter from the DEP on the updated sewer system master plan for CSO abatement, and a copy of an 11/21/16 letter of response from Olver Associates to the 11/8/16 letter from the DEP.

E. Mr. Haynes expressed his gratitude to the Public Works Department over a incident which occurred last winter involving public safety.

19. PUBLIC WORKS DIRECTOR - COMMENTS ON DIRECTOR'S POSITION

Public Works Director Mike Schoppee discussed the status of his position with the Board. Mr. Schoppee told the Board that he preferred that his position be salary based; he noted his belief that he needs to work closely with the other members of the department and due to the requirements of the position he needs to be able to make decisions as to his working during certain times such as during a snow storm without having to contact the town manager.

Mr. Whalen cautioned that there is a Department of Labor deadline to address this position; he noted his concern that the Town would be out of compliance with federal law.

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

VOTED:

To revert the Public Works Director's position back to a salaried position effective 12/1/16.

Mr. Schoppee stated that he tries to be fair to Machias taxpayers. Mr. Thompson commented that Mr. Schoppee does save the Town a lot of money and he noted that as a Machias taxpayer he appreciated Mr. Schoppee's efforts.

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