

SELECTMEN'S MEETING MINUTES

December 18, 2023

5:00 PM

Selectmen: Jeffrey Davis, Ryan Sprague, Ryan Maker

Support: Marcia Hayward / Clerk

Audience: Kathy & Bob Mercer, David Cale

*****Note:** All Selectmen & Clerk were assembled at the Town Office for the meeting as scheduled. Experienced a power failure 2-3 minutes before meeting was scheduled to begin.

1. Call to Order / Pledge of Allegiance Jeff Davis called the meeting to order at 5:00. Pledge of Allegiance was eliminated due to flag being in the conference room.

2. Review Minutes of Previous Meeting: Ryan Sprague seconded motion of Jeff Davis to accept minutes as presented. All in favor, motion carried.

3. Adjustments to Agenda: Executive Session: Pursuant to 1 M.R.S.A. §405 (6)(E) - Consultations between the municipality and its attorney. **Not necessary.**

4. Old Business:

A. Beach Road - Vote to authorize attorneys to make offer :

Selectmen read prepared motions of the Clerk's Certificate of December 18, 2023 Concerning Port Road. Selectmen voted unanimously on each motion. (Clerk's Certificate Attached.)

*Paragraph 1, motion by Jeff Davis, seconded by Ryan Sprague. All in favor, motion carried.

*Paragraph 2, motion by Ryan Sprague, seconded by Jeff Davis, all in favor motion carried.

*Paragraph 3, motion by Ryan Maker, seconded by Jeff Davis, all in favor motion carried.

*Paragraph 4: motion by Jeff Davis, seconded by Ryan Maker, all in favor motion carried

B. Beach Road - Vote to schedule public hearing Ryan Sprague seconded motion of Jeff Davis to schedule a Public Hearing for January 22, 2024 at Fort O'Brien 6:00 PM.

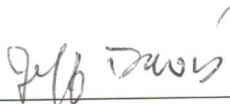
5. New Business: NONE

6. Selectmen's Report: NONE


7. Clerk/Treasurer's Report: In binder

8. **Tax Collector's Report:** In binder

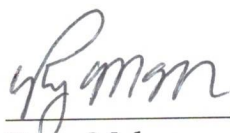
9. **Adjourn:** Ryan Maker seconded motion of Jeff Davis to adjourn. All in favor, motion carried. Meeting adjourned at 5:15PM.



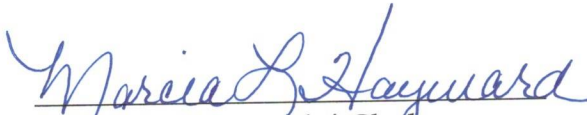
Jeff Davis



Ryan Sprague



Ryan Maker



Marcia L. Hayward / Clerk

Clerk's Certificate of December 18, 2023, Select Board Motions Concerning Port Road

At a duly noticed meeting of the Town of Machiasport Select Board, a majority of the Select Board approved the following motions:

I move to authorize the Town Attorney to make a formal offer to the owners of record of 1759 Port Road, Machiasport, also known as Tax Map 14, Lot 1, to acquire an easement over said property for the purpose of establishing a town way for public use for the sale price of \$44,000, subject to substantially the same terms and conditions stated in the draft offer letter reviewed by the Select Board today and as deemed advisable by the Town Attorney, in consultation with the Town Clerk. Said authorization is based upon the finding that, having reviewed the engineering and appraisal reports concerning said acquisition, the proposed easement is necessary to ensure proper maintenance and public use of Port Road and the sale price proposed is reasonable and fair compensation.

Vote: 3 to 0.

I move to authorize the Town Attorney to make a formal offer to the owners of record of 1755 Port Road, Machiasport, also known as Tax Map 14, Lot 2, to acquire an easement over said property for the purpose of establishing a town way for public use for the sale price of \$53,000, subject to substantially the same terms and conditions stated in the draft offer letter reviewed by the Select Board today and as deemed advisable by the Town Attorney, in consultation with the Town Clerk. Said authorization is based upon the finding that, having reviewed the engineering and appraisal reports concerning said acquisition, the proposed easement is necessary to ensure proper maintenance and public use of Port Road and the sale price proposed is reasonable and fair compensation.

Vote: 3 to 0.

I move that in the event said offer to the owners of record of 1759 Port Road, Machiasport, also known as Tax Map 14, Lot 1, is not accepted within a reasonable time, the Select Board will hold a public hearing on January 22, 2024, at 6 p.m., at the Fort O'Brien School gymnasium, located at 492 Port Road, Machiasport, Maine 04655, to consider an order of eminent domain condemnation, which shall be sent to the owners and made available to the public in advance of said hearing. Further, the Select Board shall consider and vote on said condemnation order following the public hearing. The Town Clerk shall ensure that written notice of the Select Board's intentions to hold a public hearing to consider the condemnation order, which shall include a copy of said

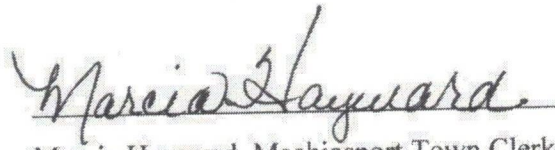
condemnation order and shall serve also as 23 M.R.S. § 2301 notice of the Select Board's intention to lay out a Town Way, shall be posted at least 7 days in advance of January 22, 2024, in at least 2 public places in the municipality and also in the vicinity of the proposed town way.

Vote: 3 to 0.

I move that in the event the offer to the owners of record of 1755 Port Road, Machiasport, also known as Tax Map 14, Lot 2, is not accepted within a reasonable time, the Select Board will hold a public hearing on January 22, 2024, at 6 p.m., at the Fort O'Brien School gymnasium, located at 492 Port Road, Machiasport, Maine 04655, to consider an order of eminent domain condemnation, which shall be sent to the owners and made available to the public in advance of said hearing. Further, the Select Board shall consider and vote on said condemnation order following the public hearing. The Town Clerk shall ensure that written notice of the Select Board's intentions to hold a public hearing to consider the condemnation order, which shall include a copy of said condemnation order and shall serve also as 23 M.R.S. § 2301 notice of the Select Board's intention to lay out a Town Way, shall be posted at least 7 days in advance of January 22, 2024, in at least 2 public places in the municipality and also in the vicinity of the proposed town way.

Vote: 3 to 0.

This is a true and accurate record of certain motions of the December 18, 2023, meeting of the Machiasport Select Board.


Marcia Hayward, Machiasport Town Clerk

