

**BOARD OF SELECTPERSON'S PUBLIC HEARING
February 5, 2015, 6:00 p.m.
Rumford Falls Auditorium**

Public Hearing for Petition to Amend the Town Charter

Chairperson Buccina opened the Public Hearing for the Citizen's Petition to Amend the Town Charter.

John Madigan offered verbal and written testimony to the Board regarding the proposed Petition to Amend the Town Charter. He believes the paper mill has provided the bulk of property taxes to the town and we have been fortunate. He believes the six million dollar spending cap is a significant change to how we do business. The Town Charter charges the Board of Selectpersons and Town Manager with the responsibility of proper administration of the town and preparation of accurate estimates of costs. There is no way to do this with the spending cap proposed he believes.

Jeff Sterling believes this is the second time this spending cap has been presented. The Board had been advised by their Attorney on the first spending cap and when it went to court a Judge had denied it.

Phil Blampied, a petitioner on the Citizen's Petition, disputed the comments made by Mr. Madigan and Mr. Sterling. Mr. Blampied explained his belief in what happened with the first spending cap proposal. He further explained that the new proposed spending cap would ask for a special election to amend the Town Charter to add a spending cap of six million per year that would not include the school budget, initiated articles or the overlay. The cap could be over-ridden in emergencies, but would rise if the tax base increased and be lowered if the tax base decreased.

Robert Chase believes the citizens already have a mechanism to control the budget with the democratic system that is in place when citizens vote.

Carlo Puiia wanted to know why these petitioners want to take away the current right to vote that we have now. He believes the petitioners may believe that the voters do not know how to vote or do not like the way they are voting. He does not support this spending cap and encouraged the Board to vote no.

Kevin Saisi stated that his mother signed the petition and did not understand what she signed. He stated that the current Charter Commission members did not approve the first version of this proposed change to the Charter and had not heard back from this group who have now decided to take the petitioner route. He believes a yearly opportunity to vote upon this spending cap process would be preferable.

Tony DeSalle believes this issue has not been clarified. The Board is to decide upon the legality of the petition. He believes our Town Attorney should give an opinion on the legality and the citizens should be able to discuss this at a Town Meeting.

Philip Blampied stated that this proposal would be able to be amended or changed once in place. He would like the Board to comply with Title 30-A to schedule an election and let the voters decide. He believes there is a huge sentiment in town that something is wrong. He said it is not human nature for these people to attend these meetings. He said that we have encountered a very great concern over the way this town is being managed and the way the finances are going. He feels we need to respect these people and allow them to decide whether we need a budget cap or not.

Mark Belanger believes Mr. Madigan's comments were misrepresented. He also read from a law about proposed changes to Charters concerning amendments or revisions.

John Madigan spoke to the formula given by Mr. Blampied. He believes we cannot live with that formula in the time frame set up in the Charter. The date to determine the assessed value of properties is not until April 1st, but we do not know what that amount is until August or September. How can a budget be put together without this information, he questioned. He also clarified that when he referred to the "petitioners" earlier in the meeting he meant the initial petitioners, Phil Blampied, James Windover, Diane Casey, Paul Lowell, and Henry Zinck, not the 575 people who signed the petition.

Brad Adley asked Mr. Blampied what was different in this proposal than the one that was ruled on in court.

Philip Blampied said this amendment would go into the Charter, not the Ordinances. The overlay was taken out of this proposal.

Greg Buccina stated that we have run our town since 1951 by the people who attended the Town Meeting for many years. He said that recently there were accusations of rubber stamping the budgets. He now goes through the budget line by line. He believes the secret ballot process has worked very well with 1500-2000 people showing up to vote in our elections, which is a very good showing, this also includes absentee balloting. He believes that people who are not getting what they want at the ballot process are looking for alternatives to get what they want, and he believes that is taking away the democratic process.

Richard Scagliola hopes that all the townspeople vote with free will and freedom of choice.

The Public Hearing was adjourned at 6:50 p.m.

BOARD OF SELECTPERSON'S MEETING
February 5, 2015, 6:30 p.m.
Rumford Falls Auditorium

PRESENT: Chairperson Gregory Buccina, Vice-Chairperson Jeffrey Sterling, Selectperson Bradford Adley, Selectperson Frank DiConzo, Selectperson Mark Belanger, Town Manager John Madigan, Jr.

ATTENDEES: Philip Blampied, Eric Davis, Tony DeSalle, Bob Chase, Carlo Puiia, Jim Windover, Peter Chase, Tom Bourret, Kevin Saisi, Deborah Laurinaitis, Terri Palmer, Len Greaney, Kevin Knox, Don Boucher, Stacy Carter, Trudy DeSalle, Richard Lovejoy, Richard Scagliola

1. Meeting Called to Order by Chairperson Buccina at 6:55 p.m.
2. All present Pledged Allegiance to the American Flag
3. Public Hearing: Liquor License Application and Special Amusement Permit for Hotel Rumford

There were no comments.

4. Requests of Citizen's Present

Richard Lovejoy believes we should consider eliminating the Charter as many towns run successfully without one and those that are in existence are obsolete. The laws in the State have changed since our Charter was drafted in 1951. This would also be beneficial for consolidation efforts with other towns.

Kevin Knox asked if the bid specs were changed on the winter sand bid. The Town Manager said they were not changed and rocks should be going through a ½ in screen. Mr. Knox thought that someone should check the winter sand.

Don Boucher was concerned about snow removal and pick up and asked to have the Sidewalk Ordinance repealed. Mr. Boucher expressed many concerns before he left the meeting.

Terri Palmer asked that Citizen's Request be for requests only and not for discussions.

5. Reports

A. Selectperson's Report

Mr. Belanger would like to get back to just listening to requests during Citizen Request as the topics discussed are not on the agenda and we should stay on topic. He believes we should look at our practices such as spreading sand on the flat sections of the road that end up being plowed off the road; we only need sand on the hills and corners. Also, the size of the stones in the sand are too large. He recalled living in Maine as a kid that the road crew did not pick up the snow and the kids played in the snow piles.

Mr. Adley said that the roads have been in rough shape in many communities, not just our town. Fortunately, we have not have any breakdowns with equipment. Just recently a couple of our police officers, James Bernard and Lawrence Winson, received life- saving awards. He thanked the officers for a great job.

Mr. DiConzo discussed the use of the sidewalk plow with the Town Manager and saw it in use today with the blower attachment. He asked who calls for vehicle removal during snow plowing. Police Chief Stacy Carter explained that the highway foreman contacts the Police and the Police try to contact the vehicle owner. If they cannot reach them, they call the wrecker. Mr. DiConzo encouraged plow drivers to call for vehicle removal if needed. He gave compliments and kudos to the Public Works crew for their work through this winter. He is also working on the snow removal priority list with the Town Manager. He noted that the Implementation Committee has re-scheduled their meeting to February 11, 2015 from 6-8 in the Town Hall.

Mr. Sterling did not have a report.

Mr. Buccina reported meeting with a payroll company on the possibility of having our payroll outsourced rather than the Town completing it. It was found to not be financially advantageous to pursue this option as it would cost us more than it does now. He received a couple calls today about snow removal. He had driven around town after the recent big storm and found that the road crew did a good job. The second storm the roads did not look as good. He suggested that citizens call the Town Garage or Town Manager to assist citizens that have a tough place to plow. We may have to stay off the streets and wait for the streets to clear. Our road crew is doing the best they can with the excellent equipment that we have.

B. Town Manager's Report

The Town Manager met recently with a citizen that was concerned that there was not enough sand on the roads. He also said that each storm is different with the moisture content, whether it is snowing during the day or night, and other variables. The road crew was short-handed as Public Works employee Buddy Tidswell just retired. He would like the Board to recognize his many years of service with some type of award.

C. Department Manager Reports (as needed)

None.

D. Board and Committee Reports (as needed)

None.

6. Old Business

A. Approval of Quit Claim Deed for Melanie and Steven Regnere for 134 Penobscot Street

Mr. Sterling made a motion to approve the Quit Claim Deed for Melanie and Steven Regnere for tax acquired property at 134 Penobscot Street. Vote: 5-0

7. New Business

A. Approval of Minutes from Selectperson's Special Joint Meetings of January 7, 2015 and January 21, 2015, and Selectperson's Meeting of January 22, 2015

Mr. DiConzo made a motion to approve the minutes from the Selectperson's Joint Meetings of January 7, 2015 and January 21, 2015, and Selectperson's Meeting of January 22, 2015.
Vote: 5-0

B. Approval of Liquor License Application and Special Amusement Permit for Hotel Rumford

Mr. DiConzo made a motion to approve the Liquor License Application and Special Amusement Permit for Hotel Rumford. Vote: 5-0

C. Discussion on Recommendation of Sidewalk Committee

The Town Manager explained that the Sidewalk Committee is still waiting for information from the engineers.

Mr. Adley made a motion to table this item to the next meeting. Vote: 5-0

D. Approval of Sewer Bill Assessment for 2015

The Town Manager reported that the Sewer Assessment for 2015 is \$481,650.00 with a \$150.00 per unit cost to the users only.

Mr. Adley made a motion to approve the Sewer Bill Assessment for 2015.

Mr. Belanger questioned what was included in the \$10,000 administrative cost. Tax Collector Tom Bourret and the Town Manager explained some of the costs, including certified mailings, lien costs, billing and labor, and the remainder that is not used would go into the General Fund.

Mr. Buccina would like this placed on the next agenda to see if money could be saved in one billing. Tom Bourret explained that not all taxpayers use the town sewer and only the users are billed for the sewer fees. The Town Manager also mentioned that the sewer billings are based on a calendar year as opposed to a fiscal year for the Town, but perhaps it could be looked at.

Vote on the motion: 5-0

E. Approval to Join Maine Service Centers Coalition

The Town Manager explained the benefits of joining this coalition.

Mr. Adley made a motion to approve joining the Maine Service Centers Coalition. Vote: 2-3, Mr. Buccina, Mr. Belanger and Mr. DiConzo opposed.

F. Discussion on the Citizen's Petition to Amend the Town Charter

Mr. Belanger made a motion, that in accordance with Title 30-A, to send the proposed Charter Amendment to Town Attorney Jennifer Kreckel for legal review and written opinion that the amendment does not contain any provision that is prohibited by general laws, the U.S. Constitution or the Maine Constitution.

Mr. Sterling noted that the Board has been told by our legal counsel and by a Superior Court Judge as to how this is supposed to go. If a group does not achieve a certain end, that it goes back around again, is not a good use of our time. He is not in support of the motion. He also reminded the Board that Town Attorney Kreckel believed that this should be a Charter Commission not just an amendment as we had done earlier on the Secret Ballot Amendment to the Charter as it was a major revision.

Mr. Belanger believe we are breaking State law if we do not take the next step.

Mr. Adley believes this process is circling back from the Charter Commission and he cannot support this.

Mr. DiConzo did not want to go against State law and we should take the next step so we do not have to go to court.

Mr. Buccina believes this may be a wise decision, however, the Town Attorney is not present to advise the Board.

Vote on the motion: 3-2, Mr. Sterling and Mr. Adley opposed.

G. Approval of the Town Warrant dated February 6, 2015

Mr. DiConzo made a motion to approve the Town Warrant dated February 6, 2015. Vote: 5-0

8. Executive Session pursuant to 1 MRS 405 (6)(F) for a poverty abatement request

Mr. DiConzo made a motion to go into Executive Session at 8:23 p.m. pursuant to 1 MRS 405(6)(F) for a poverty abatement request, pursuant to 1 MRS 405 (6)(A) for a personnel matter and pursuant to 1 MRS 405 (6)(D) for Public Works contract negotiations.

Vote: 5-0

Executive Session Out at 8:43 p.m.

Mr. Buccina made a motion to deny the abatement requested for 2013, 2014 and 2015. Vote: 5-0

9. Executive Session pursuant to 1 MRS 405 (6)(A) for a personnel matter

Executive Session In at 8:44 p.m.

Executive Session Out at 9:16 p.m.

No action taken.

10. Executive Session pursuant to 1 MRS 405 (6)(D) for Public Works contract negotiations

Executive Session in at 9:17 p.m.

Executive Session Out at 9:47.

No action taken.

11. Adjournment

Mr. DiConzo made a motion to adjourn at 9:48 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp