

BOARD OF SELECTPERSON'S MEETING MINUTES
April 21, 2015 6:00 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: Matt Daigle, Eric Davis, Chris Brennick, Robert Chase, Terri Palmer, Peter Chase, Jim Windover, Alan Paradis, Richard Scagliola, Jennifer Kreckel

1. Meeting Called to Order
2. Pledge of Allegiance to the American Flag
3. Continued Discussion on Final Report from Charter Commission

Charter Commission Chairperson Chris Brennick reported to the Board on the Final Report.

Mr. DiConzo noted several sections of the Final Report that he was in agreement with. He questioned the Finance Committee becoming elected rather than appointed as he believes the Finance Committee should be advisory to the Board. He also questioned the even number of members on the Budget Committee and potential tie-votes.

Mr. Belanger questioned if the Finance Committee candidates would need to gather 50 signatures to get their name on the ballot. Attorney Kreckel answered that it would be the same process as all elected officials.

Mr. Buccina was concerned that we already have a lack of volunteers available to appoint to committees and thought the election process could make it more difficult to fill the committee positions.

Mr. Brennick informed the Board that the Charter Commission also voted to give the citizens an option to eliminate the Charter. There was not a recommendation from the Commission on this matter as they wanted only to give the voters a choice.

Attorney Kreckel will draft the ballot language for the Charter Commission questions that will go before the voters and will get this to the Board next Monday, April 27th, at the 2nd Ordinance Hearing. The Charter Commission will meet again on Tuesday, April 28th, to review the ballot language proposed by the Town Attorney.

4. Proposed Ordinances/Amendments

Chapter 12, Section 2, General Business Provisions, Business Hours

Attorney Kreckel provided the Board with her proposed language change on Ordinance Chapter 12, Section 2, as requested by the Board, regarding the hours for the Town Office to be open. She noted that the Town Offices could be closed for an emergent basis by the Town Manager

and any permanent changes in the hours or days of operation would be approved by the Board of Selectpersons, provided a seven day notice is given to the public.

Mr. Belanger made a motion to accept the proposed language for Chapter 12, Section 2. Vote: 5-0

Plastic Bags Ordinance

Attorney Kreckel asked the Board if they would consider requiring a five cent charge per plastic bag used at retail stores in town to encourage the use of reusable bags and protect the environment from the litter that these bags create. The City of Portland recently enacted an ordinance of this type.

Mr. Buccina believes that going forward, it may be a good idea to place this issue before the voters to educate them on this problem.

Jim Windover thought that this was a “five cent tax per bag” that might make people bring their business to other towns rather than businesses in Rumford.

Mr. Adley and Mr. Belanger were not in support of this suggestion.

Abandoned Buildings Ordinance Proposal

Mr. Belanger provided a sample ordinance, from the Town of Searsport, to address the abandoned buildings in town. He was unaware that the Town already had a section addressing this issue under the Sanitation and Safety Measures Ordinances.

Attorney Kreckel noted that State law allows the Board to take action on dangerous buildings, however, the Board may want to adopt more stringent language to seriously address the issue. She noted that a large amount of documentation of the dangerous conditions are required to bring an issue to court.

The Town Attorney explained that an ordinance should give the Town the authority to take the building down or physically address the danger, rather than only fine the owner of the property, and to have the authority to bill the owner for the work done to bring the property into code.

Fire Chief Robert Chase liked the clarity and definitions listed in the proposed ordinance, such as “secured” and “weather-tight” for example. He stated that we often have not been as aggressive in addressing dangerous buildings because of that lack of clarity in the current ordinance.

The Board would like time to review this and address it at the next Ordinance Hearing Meeting. It was noted that once passed the ordinance could be amended as needed going forward.

The Fire Chief and Code Enforcement Officer will review the proposed Ordinance. It was suggested that the Abandoned Buildings Ordinance be a stand-alone ordinance, rather than have the language part of the Sanitation and Safety Ordinance.

Chapter 4, Section 10, Political Activity

Mr. DiConzo suggested amending this ordinance regarding political speech by representatives of the Town.

Fire Chief Robert Chase explained that a court case that was recently filed, upheld the right to free speech by employees who are not working in an official capacity for the Town.

Mr. DiConzo would like the Town Manager to address this issue with the Department Heads so that employees understand that they may not engage in political speech while in uniform or representing the Town. Mr. DiConzo withdrew his suggestion for amendment of this ordinance.

Chapter 21-D, Consumer Fireworks Discharge and Possession

Chapter 21-C, Consumer Fireworks Retail Ordinance

Terri Palmer proposed an amendment to Chapter 21-D and suggested repealing Chapter 21-C. A cover sheet was provided listing the consequences of using fireworks. Ms. Palmer reported that there have been many complaints in the Town Manager's Office and the Police and Fire Departments from the use of fireworks by citizens in the past couple years and also cited some examples of the noise intrusion of fireworks on people and animals and the problem with debris being carried onto neighboring properties. A list of towns from the State Fire Marshal's Office that prohibit or restrict the use/sale of fireworks was also provided.

The Board discussed the suggested amendment to the present ordinance that would restrict the use of fireworks to three days per year.

During discussion it was determined that the current ordinance allows the use of fireworks every day of the year from Noon until 10 p.m. per State law, except for specific dates where the time was extended to 12:30 a.m.

Mr. Buccina made a motion to repeal both Chapter 21-C and 21-D and to adopt an ordinance to prohibit fireworks. Vote: 4-1, Mr. Belanger opposed.

5. Adjournment

Mr. DiConzo made a motion to adjourn at 8:02 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp