

5:00 p.m. Workshop with Tax Acquired Policy Ad Hoc Committee

Workshop Adjourned at 5:58 p.m.

**6:00 p.m. Special Town Meeting to Decide Upon Land Issues
July 24, 2014
Rumford Falls Auditorium**

The Special Town Meeting was adjourned at 7:00 p.m.

**BOARD OF SELECTPERSON'S MEETING
July 24, 2014, 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: Candice Casey, Diane Mitchell, Nick Lovejoy, Mark Davis, Terry Karkos, Donald Boucher, Robert Chase, Andy Russell, Kevin Knox, Jennifer Kreckel, Bruce Farrin, Michael Mills, ??, Daniel Richard, Kevin Saisi, Eric Davis? Ryan Palmer?

1. Meeting Called to Order at 7:07 p.m. by Chairperson Buccina
2. All present Pledged Allegiance to the American Flag
3. Requests of Citizen's Present

Candice Casey was concerned about the start time of the last Board of Selectperson's Meeting.

Eric Davis requested that the Town instigate traffic/speed control on Prospect Avenue. He also requested that the website be kept up to date.

Kevin Knox asked that the "junk" culverts be taken out of the new Business Park. "Mr. Dickson deals with this every time it rains," he stated. The Town Manager responded to this request with further information.

4. Reports

A. Selectperson's Report

Mr. DiConzo reported that he was called with concerns about the Agenda being posted so late this week.

Mr. Sterling commended the Park and Rec Commission/Department for the installation of a flagpole for all three fields and also the installation of the batting cages. There was a Consolidation Study Sub-Committee meeting here recently and he was discouraged by the comments that were made at the meeting prior to the study being completed. He is concerned that some people serving on the Sub-Committee's may be protecting their own turf, rather than having an open mind

to a plan for possible consolidation with the Town of Mexico. He thought that the Board paid for an objective study and process by this professional organization.

Mr. Buccina wants the next Agenda to have some discussion/feedback from the Sub-Committee meetings that will be taking place. He asked to have Don Jutton in attendance and to keep this positive. Mr. Madigan asked if the Mexico Board should also be there. Mr. Buccina indicated yes, possibly before the next meeting at 5:30 p.m. on August 7, 2014.

Mr. Belanger would like the Agenda more in advance and would like to know if it is amended before the meeting. Mr. Buccina would like to discuss this issue and the website issue at the next meeting. He also asked about the railroad tracks crossing Veteran's Street and the poor condition they are in. The Town Manager reported that Veteran's Street will be completely reground and repaved in early August. He was also concerned about potholes that are atrocious in our intersections and would like them repaired. The Town Manager explained that the recent storms have not helped in this regard and we now have major road repairs that we must focus on from the recent storm.

Mr. Adley asked about a vendor (the Silver Platter) that has been at the Information Center overnight and does not have permission for overnight parking.

Mr. Buccina asked for a moment of silence in memory of Fredric Kennard and Ronald Russell who have served on Town Boards and Committees for many years.

B. Town Manager's Report

The MDOT repaving contract was awarded to Pike Industries and will begin at the Rumford/Mexico Bridge and go all along Route 2 to the bottom of Falls Hill and then from the top of Falls Hill to a point between Rumford Center and Rumford Point. The work will be done at night and unfortunately there will be pavement grinding and repaving that may make a good deal of noise for the Hancock Street section for about three weeks starting on August 6, 2014. This is beyond the Town's control as the MDOT awarded the contract. The Town crew will need to raise all the manholes along this stretch of road and then align them with the new paving which will take a good amount of time. If there are further questions, contact Andy Russell.

Environmental Remediation has removed the asbestos at 428 Waldo Street and therefore the buildings at 428 and 426 will be ready for demolition. Also, 429 Waldo Street and 222 Pine Street were also inspected; we are waiting for the results of sample that were taken. Another building at 134 Penobscot Street may also be inspected.

Lawrence Dewar is concerned about the use of trains using the horns excessively in the Riverside Drive area of Smithcrossing. The Town Manager contacted the railroad and found that they have a policy that the Town must complete a survey of whether this could be a no whistle zone, and he was advised this would be costly and difficult to be accomplished. Mr. Dewar was also concerned about more trucks going through Smithcrossing as the Mexico-Peru bridge has been posted for weight limits and the trucks use of "jake brakes" or engine brakes are very loud. The Town Manager would like to place a couple signs prohibiting use of engine exhaust brakes between the hours of 10 p.m. and 6 a.m.

Main-Land Development asked about having the sewer lines and water lines mapped out prior to the sidewalk construction. These lines are located about ten feet below ground and will not be affected by the construction; however, it may be a good time to locate the lines at this time at a cost of \$3500. Main-Land will be referred to Andy Russell for his input.

There will be an Oxford County Budget Caucus coming up on August 27, 2014.

The General Assistance Budget was passed by the voters recently at the Special Secret Poll Meeting.

Tom Bordeau, former owner of 213/215 Penobscot Street, recently learned that his property was tax acquired while he was away from home and he would like to get his property back. The Town Manager discussed the offer from Mr. Bordeau to repay the Town to regain his property. The amount due as of August 7, 2014 is \$5,729.49 and if he can pay this amount we will have a Quit Claim Deed prepared for the next meeting.

Peter Orino, of Dunton Street, requested that we close McKenzie Hill permanently. This section of the road is usually closed during the winter months. The road is in terrible shape with many potholes. The Board would like this placed on the next Agenda.

C. Department Manager Reports (as needed)

Andy Russell reported to the Board that the MDOT invited the towns to purchase salt through their Salt Bid process. The price was \$73.90 per ton. AVCOG was also working for a bid price and their price is \$62.11 per ton. The Town will go with AVCOG bid.

Mr. Adley asked about the damaged backhoe. Mr. Russell said that the back end just about fell off while on the South Rumford Road and that we have the parts and are in the process of making the repair.

Mr. DiConzo asked if the road gave way when the street sweeper was on Front Street. Mr. Russell reported that they found a sink hole there. He has since called Dig Safe and this will be taken care of with the repaired backhoe.

D. Board and Committee Reports (as needed)

Candice Casey, who is on the Consolidation Sub-Committee for the Police Department, does not believe that we can get things done with the current process in place.

5. Old Business

A. Request from Steven Shearer regarding Tax Acquired Property at 16 Free Street

The Town Manager informed the Board that he is waiting for Mr. Shearer to return his call. Since he has not heard back from him we do not have an agreement worked out.

Chief Chase explained that we now own the property and he suggested that the payments be made in full before we return the property. This person also owns property in other towns that have back taxes due.

Town Attorney Kreckel researched whether Mr. Shearer would be in a good financial position to make an agreement with him and he does not appear to be. Any payment agreement over three months would require a land installment contract.

Chief Chase gave a summary of the condition of the exterior of the property.

Mr. Belanger was concerned that the owner may be able to come up with funds to get their property back, but we must also look at their ability to afford the property in the future.

The Town Manager estimated over \$5,000 to pay off the back taxes, next year taxes, fees and the demolition of the front porches that the Town had to remove for safety reasons.

Mr. Belanger asked if there would be further attempts to contact Mr. Shearer. The Town Manager said he has left two messages and is waiting to hear back from him. He will let the Board know what he has to say.

B. Appointments to Boards and Committees

Mr. DiConzo made a motion to appoint Mitzi Sequoia to the 3 Year Term on the Board of Appeals. Vote: 5-0

Mr. DiConzo made a motion to appoint Harrison Burns to the 2 Year Unexpired Term for the Board of Appeals. Vote: 5-0

Mr. Adley made a motion to appoint Jolene Lovejoy to the 3 Year Term for Alternate for the Board of Appeals. Vote: 5-0

Mr. Adley made a motion to appoint Gary Morrison to the 1 Year Unexpired Term for Alternate for the Board of Appeals. Vote: 5-0

Mr. Adley made a motion to appoint Robert Chase to the 3 Year Term on the Med-Care Board. Vote: 5-0

Mr. DiConzo made a motion to appoint Bradford Adley to the 3 Year Term as Alternate on the Med-Care Board. Vote: 4-0-1, Mr. Adley abstained.

Mr. DiConzo made a motion to appoint Daniel Richard to the 3 Year Term on the Park and Recreation Commission. Vote: 5-0

Mr. Adley made a motion to appoint Ryan Palmer to the 3 Year Term on the Park and Recreation Commission. Vote: 5-0

Mr. Adley made a motion to appoint Gary Morrison to a 1 Year Unexpired Term on the Park and Recreation Commission. Vote: 5-0

Mr. Adley made a motion to appoint Kenneth MacFawn to a 3 Year Term on the Planning Board. Vote: 5-0

Mr. Adley made a motion to appoint James Thibodeau to a 3 Year Term on the Planning Board. Vote: 5-0

Mr. Sterling made a motion to appoint David Errington to the 1 Year Term as Plumbing Inspector. Vote: 5-0

Mr. Adley made a motion to appoint Robert Folsom to the 1 Year Term as the Plumbing Inspector, Alternate. Vote: 5-0

Mr. Adley made a motion to appoint James Thibodeau to the 2 Year Unexpired Term on the Rumford Water District Board. Vote: 5-0

Mr. Adley made a motion to appoint James McDonald to the 1 Year Term as the Sealer of Weights and Measures. Vote: 5-0

6. New Business

A. Approval of Minutes from the Selectperson's Meeting of July 9, 2014

Mr. DiConzo made a motion to approve the Minutes from the Selectperson's Meeting of July 9, 2014. Vote: 5-0

B. Request from Town Manager to Approve the Town Warrant dated July 25, 2014

Mr. Sterling made a motion to approve the Town Warrant dated July 25, 2014. Vote: 4-0-1, Mr. Adley abstained.

C. Approval of LRAP Certification Form for Department of Transportation

The Town Manager explained that the Town will receive \$94,440.00 for this current fiscal year and gave further information regarding this process.

Mr. Adley made a motion to approve the Local Road Assistance Program certification form for the MDOT and authorize the Town Manager to sign for the Board. Vote: 5-0

D. Update on Storm Damage and Road Project Priorities – Andy Russell

Andy Russell, Public Works Superintendent, updated the Board on the damages and ongoing repairs to roads in town from the heavy rainstorm that occurred on July 2, 2014. There will not be any financial assistance from FEMA as we were the only town affected by the storm.

Mr. Belanger asked if we could hire a contractor to get some of our projects done because we are busy taking care of the road repairs from storms as we have funds to do so. We have only so much manpower and knowledge and time. Mr. Buccina believed we could explore this option.

Andy Russell mentioned that it may be difficult securing someone at this point of the summer and we would be paying a lot more.

The Town Manager explained that to bid out a major road reconstruction project we would need to hire an engineer and have the documents put out and the contractors will do only what was bid out. We would need to make sure we have everything covered ahead of time, as there could be other things that come up during the project that were unforeseen. The engineering alone would cost us much more. Andy Russell covers the planning for our Town crew for the projects that are done.

Mr. Buccina was also concerned about how we are going to get things done with the safety issues that we have.

Kevin Knox asked if the Town was going to replace the pumping station on Route 108 for the one person who uses it, or could the town have a septic tank installed instead. Mr. Russell said that the homeowner wanted to stay on the town sewer line and we just received insurance money to replace that station.

E. Discussion of Offer from Mark St. Cyr for Tax Acquired Property at 447 Swain Road

The Town Manager noted that there is a letter in the Board's packets from Mr. St. Cyr.

Mr. DiConzo would like the Town Attorney to weigh in on this matter with further information as there seems to be a great amount of paperwork to prepare for someone to make payments as

opposed to paying everything up front. He had spoken to the Town Attorney about this property and another on Hemingway Street that had burned (not tax acquired). He would like to table this matter until the next meeting.

The Town Manager noted that amount of taxes alone that are due come to over \$5,000.00 and he would never get this paid up with the \$200 per month amount he offered to pay.

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

Mr. Adley also noted that we get an opinion from the Town Attorney on this matter prior to the next meeting.

F. Discussion of Offer from Don & Michelle Boucher for Tax Acquired Property at 21 Falmouth Street

Chairperson Buccina read the offer and the Town Manager reported on the condition and potential of the property. Taxes currently due are \$4,666.87, based on taxes from 2007, 2008 and 2009. The building was tax acquired and has been vacant since 2007 and taxes have not been assessed since that time.

Chief Robert Chase reiterated that in lieu of having a policy in place, we may miss some opportunities. This proposal sounds good, however, there have not been any other proposals brought forward and he questioned whether this proposal was what we really want for the future of this property.

The Board was in consensus that the Tax Acquired Policy be in place before we consider other offers on properties.

Mr. Belanger believes we should have a strategic process in place for all these properties so that it is fair for everyone.

Mr. Belanger made a motion to table this item until the Tax Acquired Policy is adopted. Vote: 5-0

Mr. Boucher was very concerned about the condition of the properties in his neighborhood. Mr. Adley mentioned that there are limits to what we can do and that there was a Property Maintenance Code that the Town had placed out to the citizens but it was not accepted.

G. Discussion to Approve Quit Claim Deed for Barry Moore for Tax Acquired Property at 15 Front Street

The Town Manager explained that Mr. Moore came in to see him and did not realize the Town had acquired his property for non-payment of taxes. Mr. Moore was informed of the amount owed in back taxes, next year's taxes, sewer fees, and other fees. The Town Clerk calculated the amount due for today would be \$5,711.44 and Mr. Moore paid this in full. A Quit Claim Deed has been prepared by the Town Clerk.

Mr. DiConzo made a motion to approve the Quit Claim Deed for Barry Moore for tax acquired property at 15 Front Street. Vote: 5-0

H. Request from Park Commission to Manage and Organize Fourth of July Celebrations and Request for Funding from Cable Franchise Fees

Michael Mills, Park and Recreation Superintendent, informed the Board that the Park and Recreation Commission have approved the concept of having the Park and Recreation

Department organize the Fourth of July Celebrations for the Town. They plan to raise their own money and not have to use cable franchise fees after 5-7 years. They are asking for funds from this year (that were not used) and next year to be put aside to get a better rate on the purchase of the fireworks. They will be considering using corporate sponsors for fundraising and there will be others assisting them in various ways. The Park and Rec Department will give updates to the Board. There would be a line item added to the Park and Rec budget.

Mr. Buccina added that the Chamber of Commerce handled the funds for the past few celebrations for a small fee.

Mr. Adley liked the idea of the Town, through the Park and Rec Department, having oversight of this celebration.

Mr. Buccina mentioned that the total costs for the last three years were between \$13,000-\$15,000 each year that included fireworks, portable toilets, Police coverage, Park usage fees, etc.

Mr. Adley made a motion to approve the release of \$9,000.00 from the 2014 cable franchise fees for the Park and Recreation Department to organize the 2015 Fourth of July celebration.

The Board discussed having this be a budgeted item in the future.

Vote: 4-0-1, Mr. DiConzo abstained.

I. Request from David Duguay for One Hour Parking Spots on Cumberland Street

The Town Manager explained the request would be for 3 one hour parking spots on Cumberland Street to assist with the new business on Lincoln Avenue.

Mr. Belanger made a motion to approve having 3 one hour parking spots on Cumberland Street.
Vote: 5-0

J. Update of Schedule of License, Permit, Application and Other Fees

The Town Manager explained the proposed changes would be to set a fee for the Festival Event License for Hawker's and Peddler's. The fees for vendors under the Festival Event License would be \$25 per vendor and all the vendor's for the event would be placed in one advertisement at a cost of approximately \$52.00. The Festival Event License would be for a 501(c)(3) non-profit organization.

Mr. Sterling made a motion to approve the Festival Event License at \$25 per vendor. Vote: 5-0

K. Request from Len Greaney to add "Expression of Ideas Section" to Town Website

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

L. Approval of Liquor License Application and Special Amusement Permit for 49 Franklin

Mr. DiConzo made a motion to approve the Liquor License Application and Special Amusement Permit for 49 Franklin.

Richard Scagliola asked why it was so easy to get a permit for a liquor license. He believes it should be more difficult to get a permit and that we have enough places to consume alcohol.

Mr. Buccina explained that the premises are inspected by the Town for all liquor license applications.

Vote: 5-0

M. Election of Vice-President and Executive Committee Members for MMA

Mr. Adley made a motion to elect the slate of officers as nominated: Stephen Bunker as Vice-President, and Cynthia Mehnert, Laurie Smith and Patricia Sutherland as Directors. . Vote: 5-0

Mr. Adley made a motion to designate the Town Manager to sign the MMA Ballot for the Board.
Vote: 5-0

8. Adjournment

Mr. Adley made a motion to adjourn at 9:38 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp