

BOARD OF SELECTPERSON'S MEETING
December 3, 2015 6:30 p.m.
Rumford Falls Auditorium

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

ATTENDEES: Dale Roberts, Roger Viger Sr., Bruce Farrin, Rick Blanchard, Dickie McDonald, Andy Russell, Jennifer Kreckel, Bob Chase

1. Meeting Call to Order at 6:30 p.m. by Chairperson Adley who also called for a Moment of Silence for San Bernardino, California and the citizens thereof.

2. Pledge of Allegiance to the American Flag

3. Public Hearing: Liquor Licenses for American Legion and VFW

No comments were made.

4. Requests of Citizen's Present

None.

5. Reports

A. Selectperson's Report

Mr. Chase reported attending the retirement farewell for Thelma Giberson and for Cindy Kelley and noted both employees will be missed.

Mr. Belanger spoke of the nice Christmas decorations throughout town. He also believes the quality of the winter sand was very good this year and thanked contractor Kevin Knox.

Mr. DiConzo stated that he placed a letter in the mailboxes of all Select Board members regarding a dog bite in town. He is concerned about the follow-up on this issue and the gentleman has retained a lawyer about the bill. He would like this looked into. He also noted that there is a gentleman spreading food out on Byron and Cumberland streets for pigeons and he believes this is a public health issue because of the bird feces destroying personal property.

Mr. Sterling did not have a report.

Mr. Adley stated that was still concerned about the property at the Linnell Motel and 152 Hall Hill Road. He suggested checking out the wymanandsimpson.com website showing the video process of the removal Martin Memorial Bridge and replacement thereof. He gave an "Atta-Boy" to Holy Savior as the removal of the former rectory building caused the church to really stand out and shows how impressive it is. He gave another "Atta-Boy" for removal of the building on 317 Pine Street by the Public Works Department. There has also been a new flagpole installed on the Memorial Green [by the Park and Rec Department.]

B. Town Manager's Report

Regarding the motion and vote at the last meeting to begin bi-weekly payroll [and mandatory direct deposit] on February 1, 2016, the Town Manager has been contacted by the Public Works Union Representative Jim Mackey for discussion and a grievance has been filed by the Fire Department Union on this matter. This is a unilateral change in working conditions and is a negotiable item. A meeting has been scheduled for Thursday, December 10, 2015 at 9:00 a.m. at the Town Hall Auditorium. Reps from all three unions may possibly be present to discuss this matter. The Town Manager contacted David Barrett at MMA, who has been involved in negotiations for many years in the State and who agrees that working conditions include how employees are paid and are negotiable items. The Town Manager believes the February 1st deadline may not work in view of this and the same process would need to be followed for all employees in all three unions and would impact the entire Town workforce.

Mr. DiConzo asked about re-opening the contracts.

The Town Manager asked which Board members would sit in on these discussions. Mr. DiConzo noted that he and Mr. Belanger had indicated they would work on the Police negotiations and he would also continue with Fire negotiations.

Mr. Chase suggested postponing the payroll changes and negotiating this item for the new contracts that start in July 2016 for Fire and Police, rather than opening the contracts now.

In discussion it was noted that this item is a negotiable item. Mr. Adley believes the issue is worth exploring with the unions; we may need to put off the payroll change until we have worked with the unions.

Mr. Belanger suggested a side-agreement with Public Works and possibly with Fire. There is no issue with Police as there is already language to allow this change already.

The Town Manager noted that there are many specifics that would need to be looked at with this change.

Mr. DiConzo feels the unions are running the Town of Rumford and we should not have to go through this to make a change that is best for the Town.

Mr. Adley would like to get to the table to address this issue. The Town Manager will contact all the unions to see if all could attend this meeting to have input in this change.

Mr. Belanger said there was no malice in this proposal; it was done in good faith to save hours in the town offices so that staff could use that time for other things.

The Town Manager noted that the changes need to be consistent for all unions and employees working for the Town.

On another note, the Town Manager noted that the lights on Memorial Bridge are now working. Electrical repairs were made by use of the State of Maine's special lift truck and a local electrician's work.

C. Department Manager Reports (as needed)

Andy Russell, Superintendent of Public Works, informed the Board that Doug Coombs of the MDOT arranged for the Town to use the Under Bridge Inspection Truck to allow electrical repairs to Memorial Bridge by electricians Don Nash and Doug Duguay. Also, he noted that there have been

motor issues with the Sunnyside Sewer Pumping Station. The Town of Scarborough had some used motors left from their recent updates and offered to give the motors to the Town and will be picked up tomorrow. It was suggested that a letter of appreciation be sent. Further information was also given regarding the paving seams of the Maine Avenue paving job that was discussed at the last meeting. Mr. Russell noted that he and his foreman pointed out that the contractor's paving wheel was cranked up and down quite often and usually that is necessary when the surface has already been shimmed. The contractor's foreman noted that this would be adjusted when the other side of the paving was done. Mr. Russell also noted that there was a road done in the town of Bethel by the same contractor that also had a higher seam than the rest of the road along about 2000 feet stretch. He feels the experience of the wheel man on the paver is what caused the issue. He further explained the reasoning he used for the method that was decided upon in the paving project as we saved money and time in the process for the Town.

Board members expressed frustration with what happened with the job in general and who may have been responsible for the outcome.

Mr. Chase asked if something could have been done as the job was in process. Mr. Russell believes that this could have been corrected by someone by raking before the roller went over the seam and that is how it is done on many jobs.

Mr. Belanger believed that we should have had the contractor and Mr. Russell here at the same time to meet with the Board to find out who was responsible.

Mr. Sterling stated that he is not interested in finger pointing. He suggested that next spring we re-address this issue when the paving season begins. He was very satisfied with the recent work on the Jed Martin Road paving project.

D. Board and Committee Reports (as needed)

None.

6. Old Business

A. Discussion on LED Lighting for Streetlights

The Town Manager reported that Central Maine Power sent information about street lighting per our request and that it was provided in the Board's packets. The cost of replacing with LED's is prohibitive even though the energy use is significantly lower. The Town is basically renting the lights as we do not own them, so there is a monthly cost for each light. There is only one town that owns their streetlights in our area of the State per the representative at CMP.

Also discussed was the removal of the two 70 watt streetlights along Route 2 near the Hanover town line and the cost of adding two 150 watt streetlights at the intersections of Route 2 and 232 near the new Martin Memorial Bridge and at Route 2 and 5.

7. New Business

A. Approval of Minutes from November 19, 2015

Mr. Sterling made a motion to approve the minutes from November 19, 2015. Vote: 5-0

B. Approval of the Town Warrant dated December 4, 2015

Mr. Belanger made a motion to approve the Town Warrant dated December 4, 2015. Vote: 5-0

C. Discussion with Town Attorney on Properties with Code Violations

Town Attorney Jennifer Kreckel explained the differences between a dangerous building, where an order of demolition can be sought from Superior Court once all the parties of interest have been contacted, and the different situation for a building with code violations.

Attorney Kreckel discussed the situation with the Linnell Motel that sustained major damages from a fire last summer and that it has been difficult to locate the owners to clean up the property and dispose of the debris. There are other parties that also have financial interest in the property and the owners, Ravi and Meena LLC, are no longer recognized as an LLC under the laws of the State of Maine as they did not file annual reports going back to 2013. If we go to Superior Court to seek an order of demolition for a dangerous building, it will cost the Town money and the costs may not be recoverable as the property is no longer as valuable.

Attorney Kreckel also noted that several properties are in the process of being fined for code violations through the Code Enforcement Office.

Mr. Belanger asked for a list of the properties that are being looked at and the status of each one at this point.

Fire Chief Robert Chase noted that the more burden the Town takes on to remedy and demolish buildings that we do not own, the more impact it has on us taking care of buildings that we do own. He believes we will need to prioritize those properties against the ones we own and need to keep up momentum in tearing down these buildings or we will fall behind again. He believes we may need to hire an independent certified state inspector in identifying dangerous buildings who could then provide documentation and non-biased testimony in court if needed, rather than rely only on local Town personnel.

Attorney Kreckel suggested that the Fire Chief, Code Officer and Town Manager sit down and put together an assessment list of what is to be done on any properties of concern

Peter Chase suggested getting an estimate from Public Works for demolition of the Linnell Motel by the Town. Chief Chase believes that we can bury the debris on site and may not need to haul much away. This would prevent us from paying tipping fees as there is not a current reason to leave the property in a "saleable" condition. He noted we need legal authority through the court system to do anything with this property.

He also noted that we need to make more progress on the removal of buildings, even if it costs more by not having the Town do the work, in order to get the buildings down that we need to or we will fall behind.

Attorney Kreckel noted that we need to take action quickly if going to court for an order of demolition.

Several properties were discussed regarding the newly passed vacant building ordinances and the properties that may need to go through that process and/or the court process.

Richard Scagliola asked about a building being deemed dangerous regarding electricity that seems outdated near trees that are diseased and have fallen near his property at 42 Lochness. He said

that he is trying to take care of his property and does not want any problems or complaints in the future.

D. Approval of Liquor License Application and Special Amusement Permit for American Legion Post 24

Mr. Sterling made a motion to approve the Liquor License and Special Amusement Permit for the American Legion Post 24. Vote: 5-0

E. Approval of Liquor License for VFW, Post 1641

Mr. Belanger made a motion to approve the Liquor License for the VFW, Post 1641. Vote: 5-0

F. Discussion of Phase 2 from SRL Architects for Town Office Renovation

The Town Manager explained the "Opinion of Probable Cost for Rumford Town Office Modifications" to renovate the Town Offices for more efficiency, cross training and coverage that were drawn up by Smith Reuter Lull Architects. The Tax Collector's Office would move to the Town Manager's Office; the Finance Director would move to the Tax Collector's Office; and the Town Manager would move to the Finance Director's Office. We are also not replacing the full time General Assistance Clerk position and replacing a full time Tax Office position with a part time position. We will save on two benefit packages for these positions and a full time position.

Mr. Sterling made a motion to move on to Phase 2 to develop plans and specifications suitable to bid and to implement the work identified in Phase 1. Cost for this could range from \$3,500 to \$6,000 based on the scope of work as finally identified in Phase 1

Mr. Belanger was concerned about the estimated cost of \$70,000 for a small space and the amount of work that is needed.

Vote: 4-1, Mr. Belanger opposed.

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

This item was bypassed as the Town Manager noted that another meeting is scheduled for next week with the Union.

9. Adjournment

Mr. DiConzo made a motion to adjourn at 8:16 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp