

BOARD OF SELECTPERSONS DANGEROUS BUILDING PUBLIC HEARING
March 17, 2016, 6:00 p.m.
Rumford Falls Auditorium
Regarding Property at 240 Pine Street, Rumford, ME 04276
Per 17 MRS 91 (4) §2851 Dangerous Buildings

Chairperson Adley opened the Public Hearing at 6:00 p.m.

Town Attorney Jennifer Kreckel presented the Town's position on the state of the dangerous building located at 240 Pine Street and provided Exhibits 1-13.

Chairperson Adley swore in Rumford Code Officer David Errington.

Attorney Kreckel asked Mr. Errington pertinent questions regarding the dangerous building at 240 Pine Street. Mr. Errington would like the porches to be repaired and secured in order to leave a second egress out of the building.

Attorney Kreckel noted that Gregory Zadakis, Steve Zadakis and John Zadakis are brothers listed as owners on the property.

Gregory Zadakis, was questioned by Attorney Kreckel and Mr. Zadakis responded and added personal comments about the situation.

Steve Zadakis, brother of Gregory, explained that his brother lives in the dangerous property. He lives in the small adjacent house on the same property and has also been concerned about the building.

John Zadakis asked if he would personally be affected by this matter and what the cost would be for the Town to remove the porches. The house was inherited by the three brothers and no one wanted to buy out the others.

Fire Chief Chase noted that stairs must be added from the second floor to provide a second egress once the porches are removed by Mr. Zadakis or by the Town.

Mr. Chase asked if the Town is liable if someone gets hurt if we give time for the porches to be repaired. Attorney Kreckel does not believe the Town will be liable as we are taking steps to remedy the dangerous situation. She also noted that Mr. Zadakis has not filed a plan of compliance as has been requested by the Code Officer and Town Attorney.

Mr. Chase made a motion to agree with the recommendation from the Town Attorney to have the owners create a plan to be approved by Code Officer Errington to make sure the building meets code within 30 days. If the property owners do not meet the plan of compliance within 30 days, the Town will be given the authority to take down the porches and make the necessary code repairs to keep the building in compliance. A special tax would then be assessed to the owners for the demolition and construction costs, as well as for the legal fees the Town incurred. There will also be a right to appeal by the property owners that will also be written in the order by the Town Attorney. Second Mr. Belanger.

The Town Manager noted that the building has a past due sewer lien that is about to foreclose in the amount of \$924.00, including interest and fees, from October 2014.

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

The Public Hearing concluded at 6:55 p.m.

BOARD OF SELECTPERSON'S MEETING

**March 17, 2016 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: Michael Sleeper, ACP-1599, Maureen Cook, Bob Chase, Jon Starr, Bruce Farrin, Daryl Simard, Phil Blampied, Calvin Burgess, Douten and Donna Thomas, Jeff Lang, Jennifer Kreckel, Connie Arsenault, Bromley Cook

1. Meeting Call to Order by Chairperson Adley at 7:01 p.m.
2. Pledge of Allegiance to the American Flag

*** The consensus of the Board was to move up Item 8 in the Agenda.

[8.] Executive Session pursuant to 1 MRS 405 (6) (C) for an economic development matter.

Mr. Sterling made a motion to go into Executive Session pursuant to 1 MRS 405 (6) (c) for an economic development matter. Vote: 5-0

Executive Session In at 7:08 p.m.

Executive Session Out at 7:29 p.m.

Mr. Chase made a motion to approve a loan to Moon Tide Springs, Inc., for \$50,000.00 at 8 percent interest for a term ending on May 15, 2016, to include a requirement that a water bottling plant be built in Rumford within two years, to be guaranteed by Moon Tide Springs, Inc. and Jean Castonguay and to be secured by land owned by Jean Castonguay and contingent upon payment by debtor of all costs and fees to the Town. Second by Mr. Belanger. Vote: 5-0

Mr. Belanger made a motion to approve an allonge or amendment to the mortgage deed and mortgage note, dated November 6, 2015 to make repayment by debtor within May 15, 2016 and to require payment of all attorney's fees and costs and to require building of water bottling plant in the town of Rumford within two years. Second Mr. Sterling. Vote: 5-0

Mr. Chase made a motion to approve Warrant No. 45, dated March 17, 2016. Second Mr. DiConzo. Vote: 5-0

3. Public Hearing: Liquor Licenses for Sons of Italy and Connie's Place

No comments were made.

4. Requests of Citizen's Present

Bromley Cook presented a request for the Town to place an item on the Annual Town Warrant to ask the voters to approve an easement for a walking trail along the Androscoggin River on the east side of the Rumford Falls and adjacent to Brookfield Power Hydro Dam.

Chairperson Adley informed Mr. Cook that the Board would take this matter under advisement.

5. Reports

A. Selectperson's Report

Mr. DiConzo, Mr. Sterling, Mr. Chase, Mr. Belanger and Mr. Adley did not have a reports.

B. Town Manager's Report

The Town Manager showed a photo of the sign that the Town plans to place in the Rumford Center area regarding engine brake noise. Mr. Sterling asked about the color of the sign and enforcement.

The Town Manager informed the Board of the upcoming MDOT project of installing center line rumble strips in area towns where the speed limit is 45 miles or over, along with other criteria.

The Town Manager noted that pieces of slate shingles were found on the ground after a recent wind storm that came from the Town Hall roof. He showed photos to the Board that were taken by the Fire Department using the Ladder Truck. We would like to have the contractor that is working on the Library roof take a look at our roof when they are here. The Town Manager will have the Fire Department attempt to remove the broken piece that is still laying on the roof.

C. Department Manager Reports (as needed)

No reports were given.

D. Board and Committee Reports (as needed)

No reports were given.

6. Old Business

A. Approval of Amended Library Exterior Improvements Project

The Town Manager reported on the recent visual inspection with contractor HE Callahan and the roofing contractor. It was found that most of the flat roof in the back was in good shape with only a few loose shingle pieces on the edges and a few missing in the back. Grimmell was the contractor that did the slate roof in the back and Demmons did the rubber roof a few years earlier. After the visual inspection, the contractor changed the project and will only replace what is missing and perform another visual inspection, at a reduction of about \$40,000.00 on the project. The new price will be \$106,646.00 and will include the pointing of the bricks. The Library Capital Fund has the funds needed.

Mr. Sterling made a motion to approve the new project price of \$105,095.00 from H. E. Callahan which waived the \$1,551.00 performance bond. Vote: 5-0

7. New Business

The consensus of the Board was to move up Item 7F in the Agenda.

[7F] Request from RUMMEX to Discuss Roof Drains that Empty into the Sanitary Sewer

Mr. Belanger made a motion to allow RUMMEX member and non-resident Ed Ziko to speak.

Vote: 5-0

Mr. Ziko asked if the new proposed Ordinance regarding flat roofs will be voted upon tonight. The Town Manager answered that this will be voted upon by the citizens in June. Mr. Ziko asked if the wording of the proposed Ordinance was finalized and asked to postpone placing this on the Annual Town Warrant. The Town Manager said we could delay this until the meeting of April 7th when the Annual Town Warrant will be signed.

Mr. Ziko explained that the landlord association members are concerned about the expense for property owners to change their roof drains.

The Town Manager explained the situation that led to the creation of this proposed Ordinance, which started with the MDEP citing the Rumford-Mexico Sewerage District for overages at the treatment plant which is partially caused by roof drains that enter the sanitary sewer lines. The separation of the roof drains from the sanitary sewer and reconnection to the storm drains should have been done many years ago when the Sewerage Treatment Plant was built. Many sewer lines in the downtown area were smoke tested and inspected by cameras and we found many serious problems in the lines.

The Town Manager noted that we could place the Annual Town Warrant on the next agenda for April 7, 2016 to give us time to look at the Roof Drain Ordinance further.

The consensus of the Board was to hold on the Roof Drain Ordinance until the next meeting to include an Addendum to not require property owners to install roof drains until the Town is rebuilding that particular road. The consensus of the Board was to hold a workshop prior to the next meeting with the landlords, or any property owner with a flat roof, to further discuss the matter. Ed Ziko will be the contact person and was provided a copy of the proposed roof drain ordinance.

A. Approval of Minutes from March 3, 2016

Mr. Sterling made a motion to approve the minutes from March 3, 2016. Vote: 5-0

B. Approval of the Town Warrant dated March 18, 2016

Mr. Chase made a motion to approve the Town Warrant dated March 18, 2016. Vote: 5-0

C. Approval of Liquor License and Special Amusement Permit for Sons of Italy, Inc.

Mr. Belanger made a motion to approve the Liquor License and Special Amusement Permit for Sons of Italy, Inc. Vote: 5-0

D. Approval of Liquor License for Connie's Place

Mr. DiConzo made a motion to approve the Liquor License for Connie's Place. Vote: 5-0

E. Approval of Truck No. 4 Bid for Public Works

The Town Manager reported that Andy Russell was ill and unable to attend the meeting.

Mr. Sterling made a motion to table this item until the next meeting when Andy Russell is in attendance. Vote: 3-2, Mr. Belanger and Mr. DiConzo opposed.

F. Request from RUMMEX to Discuss Roof Drains that Empty into the Sanitary Sewer

This item was discussed earlier in the meeting.

- G. Request from Park Commission to place a Straw Poll Question on the Annual Town Warrant regarding the Replacement of the Hosmer Field Running Track and Football Field Lights/Poles

Mr. DiConzo made a motion to table this item until the next meeting when Michael Mills is in attendance. Vote: 5-0

- H. Request from Kendrick Thibodeau Logging for Waiver to Transport over Posted Road

Mr. Chase made a motion to approve the waiver for Kendrick Thibodeau Logging to transport over Wyman Hill Road (approximately 50 feet) to South Rumford Road from their current logging operation. Vote: 5-0

- I. Approval of Design Plan for Municipal Office Renovations

The Town Manager explained the architectural packet that was sent to the Board members via email. He noted that this renovation would help to make the offices more efficient. This is probably the only possibility we will have to consolidate two busy offices and save on employment in the future. The Town Clerk and Tax Collector met with the architect in determining the proposed changes.

Mr. Belanger asked if any savings had been quantified with these changes. The Town Manager indicated that there would be resources for help from other employees.

Mr. Sterling made a motion to approve the design plan for the Town Office Renovation Project. Vote: 5-0

- J. Approval to Lift the Winter Parking Ban Unless a Snow Event Occurs

Mr. Belanger made a motion to approve the lifting of the Winter Parking Ban unless a snow event occurs. Vote: 5-0

- K. Election of Officers for AVCOG

The Town Manager noted that this item was placed on the Agenda initially as we believed the Board was to make the election. After contacting AVCOG we learned that the General Assembly Member and Executive Board Member are the ones who vote for the AVCOG Officers. Mr. DiConzo and Mr. Sterling have already completed their ballots and the Town Manager's Office will return them to AVCOG.

- L. Signing of Filing Certificates for Ordinance and Charter Changes

The Board signed Filing Certificates for the proposed changes. The Roof Drain Ordinance was not signed and will be discussed at the next meeting.

- 8. Executive Session pursuant to 1 MRS 405 (6) (C) for an economic development matter.

This item was addressed earlier in the meeting.

- 9. Adjournment

Mr. DiConzo made a motion to adjourn at 9:25 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp