

BOARD OF SELECTPERSON'S MEETING

July 21, 2016 6:30 p.m.
Rumford Falls Auditorium

PRESENT: Chairperson Jeffrey Sterling, Vice-Chairperson Mark Belanger, Selectperson Michael Peter Chase, Selectperson James Windover, Selectperson Christopher Brennick, Town Manager John Madigan, Jr.

ATTENDEES: Candice Casey, Kevin Saisi, Kerri Arsenault, Jim Thibodeau, Maureen Cook, Brom Cook, Harry Burns, Brian Gagnon, Bruce Farrin, Brie Weisman, Jon Starr, Maddy Arsenault, Steve Dymont, Tom Fallon, Gabrielle Johnson, Eric Davis, Bob Chase, Jacob Pitcher, Mitzi Sequoia, Jolene Lovejoy, Terri Palmer, Kim Sequoia

1. Meeting Call to Order

2. Pledge of Allegiance to the American Flag

3. Public Hearing (as needed)

None were needed.

4. Requests of Citizen's Present

Maddy Arsenault requested that the Board add to their agenda a Public Comment section to allow citizens to ask questions.

5. Reports

A. Selectperson's Report

Mr. Brennick attended a meeting regarding the new hotel coming to town and the progress thus far. He asked the Town Manager for an opinion from the Town Attorney on the ability of the new Board members to continue serving on other town appointed committees or board. The Town Attorney found that there would be no conflict unless the Park and Recreation Commission had a decision that was appealed to the Board of Selectpersons. He plans to recuse himself from any type of appeal on the Select Board if needed. He stressed the importance that Board members work together as a Board and share all the same information and not work as individuals. He believes that the topics should be dealt with here at the Board meetings.

Mr. Chase reported that he just left the informational meeting early regarding the cannabis oil treatment. He was not sure if this information was factual but encouraged people to become informed.

Mr. Windover did not have a report

Mr. Belanger met with Bill Malley regarding a water issue on the Maple Street extension. He has apparently met with the Town Manager and nothing had been done yet and he wanted to know the status. Mr. Belanger's wife was recently charged by a pit bull on July 1 and tried to call the Animal Control Officer to get information about the dog and has been unable to reach her. He asked if there is another person to take her place while she is not available. The Town Manager will speak to the Police Chief and get back with further information.

Mr. Sterling reminded the Board members to speak directly into their microphones for digital recording purposes and for the local access cable camera. He also noted that anyone who has raised their hand to speak and not been recognized, to call attention to themselves or go to the podium.

B. Town Manager's Report

The Town Manager met recently with Brookfield Power, Senator Collins Office and citizens concerned about access to a recreational trail near the Rumford Falls. There was also discussion on a citizen request to change the boat ramp orientation along the Androscoggin on Route 2 and to add a gazebo (bandstand) in the Veteran's Park area at the end of Congress Street. Brookfield sent a letter saying they were okay with both projects. He also noted that the Morse Bridge painting has begun.

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 Inter-Governmental Agreement with Western Foothills RSU 10 for Use of Hosmer Field Recreation Complex

The Town Manager noted that the only change in the agreement from the last meeting, was for a one year contract in the amount of \$24,500.00, which is what it has been for several years. Michael Mills spoke with Alan Cayer, Athletic Director, and he was informed that this was the amount available in the school budget for this year. During the next budget process it can be discussed further with the school in order to make the agreement more representative of the costs involved to maintain the fields.

Mr. Windover made a motion to approve the Agreement for one year at \$24,500.00.

Mr. Chase would like to sit down with the Park and Recreation Commission regarding the renegotiating process going forward.

Vote on the motion: 4-0-1, Mr. Brennick abstained.

7. New Business

A. Approval of Minutes from July 7, 2016

Mr. Belanger made a motion to approve the minutes from July 7, 2016. Vote: 5-0

B. Approval of the Town Warrant dated July 22, 2016

Mr. Brennick made a motion to approve the Town Warrant dated July 22, 2016. Vote: 5-0

C. Presentation Regarding Nestle Waters - Kerri Arsenault

Mr. Chase made a motion to allow non-resident Kerri Arsenault and anyone from her group, to speak. Vote: 5-0

Mr. Sterling introduced Ms. Arsenault and asked all present to listen to alternative points of view so that all may form their own opinion. Questions and answers will be considered after the presentation.

Ms. Arsenault represented a group of concerned citizens regarding the exploration of Nestle Waters into extracting water from the public water supply on the Rumford Water District's property.

Jon Starr shared his concerns about the quality of life and impact on the residents living in the quiet Ellis River Valley if Poland Spring begins sending 40-70 trucks per day around the clock as they noted in their presentations. He believes further study or a survey should be conducted.

Kerri Arsenault presented a list of community concerns regarding corporate need versus the public right and need and provided copies of information to all Board members. Once a contract is signed, it is difficult to stop the process for various reasons, she noted. She also explained several other factors such as environmental concerns regarding the potential of air and water pollution from trucks carrying water and bottles not being recycled.

Bromley Cook and Maddy Arsenault also asked questions, made requests and put forth information regarding this matter.

Chairperson Sterling noted that this matter is more of a Rumford Water District matter; however, the Board will listen to concerns from citizens.

Mr. Chase reported that he called the Town of Fryeburg and got conflicting opinions from those he spoke to. He believes further information and a study is needed to answer questions such as, how big is the reservoir (aquifer) and what is the recovery rate.

Candice Casey reported on the meeting she attended at the Rumford Water District. She noted that those in attendance were allowed to submit questions that are to be answered at another meeting that is scheduled in August.

D. Appointments to Boards and Committee

Mr. Belanger made a motion to appoint Linda Macgregor and Maureen Cook to the 3 Year Terms on Library Board of Trustees. Vote: 5-0

Mr. Belanger made a motion to appoint Roger Viger to the Park and Recreation Commission for a 3 Year Term and Richard White for the Unexpired 2 Year Term. Vote: 5-0

Mr. Chase made a motion to appoint Frank DiConzo and Kevin Saisi to the 3 Year Terms and Gina Hinckley for the Alternate 3 Year Term.

Mr. Belanger made a motion to appoint Leonard McKenna to the 1 Year Term on the Rumford-Mexico Sewerage District. Vote: 5-0

Mr. Belanger made a motion to appoint Joseph Martin to the 3 Year Term on the Rumford Water District.

Mr. Belanger thought that new eyes on the Board may be helpful in looking at some of the future prospects facing the Rumford Water District. He believed his nomination was made in response to the concerns of the people who were in attendance tonight.

Jolene Lovejoy noted that she served with Jim Thibodeau on many Boards over the years and this coming year needs experience and leadership on the Board. She believes that we should continue with Mr. Thibodeau.

Joseph Martin explained that he submitted his name for the Water District and has been in the mining business for 35 years, has done water studies in Africa and the Mid-East, has dealt with corporate boards and started ten public companies. He believes that this process should be about protecting the property rights of property owners in the town of Rumford.

Candice Casey noted that the town has old pipes under the ground that need replacement and if we agree to allow Nestle Waters that would infuse funding to replace the antiquated infrastructure. She would like to see the Board re-appoint Jim Thibodeau.

Mr. Belanger made a motion to allow non-resident, Nickie Sekera, to speak. Vote: 5-0

Ms. Sekera noted that she is from the town of Fryeburg and asked the Board to listen to the many opinions expressed on this matter. She noted that we do not have groundwater protection laws in our state that would protect over-mining of the water. She would like us to look at the long view, not just the potential for the local economy and jobs.

Jim Thibodeau explained that he has 45-50 years of accumulated service on many board for the Town. He said he made many tough decisions, but made them honestly, for the townspeople of the Town of Rumford. He does the same for the Water District.

Vote on the motion for Mr. Martin: 2-3, Mr. Sterling, Mr. Chase and Mr. Brennick opposed.

Mr. Chase made a motion to appoint Jim Thibodeau to the 3 Year Term on the Rumford Water District. Vote: 5-0

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

Mr. Chase asked if we will re-advertise for the open positions. The Town Manager answered that we would and read the open positions to those in attendance and encouraged people to get involved and apply.

A correction was needed for the Rumford-Mexico Sewerage District position that should have been for a 3 Year Term and was voted upon for a 1 Year Term due to an error on the list of applicants.

Mr. Belanger and Mr. Chase amended their motion and second to appoint Leonard McKenna to a 3 Year Term to the Rumford-Mexico Sewerage District Board. Vote: 5-0

E. Request for Moratorium on Marijuana Operations, Programs, and Advertising – Candice Casey

Candice Casey presented her concern about the recent efforts by local residents to promote the use of cannabis oil to prevent and cure diseases. She stated that the claims have not been proven and could cause further addictions. She believes a moratorium should be put in place on this matter.

She was also concerned about a banner that announced an event regarding this issue that was hung on a town fence where other banners are placed. She believed the banner is in violation of the Town's ordinance.

The Town Manager explained that the townspeople would need to vote on a moratorium per State law which would be predicated on an emergency. The Planning Board is working on this matter in the Town of Mexico regarding the placement of signs.

Mr. Sterling noted that we could charge the Planning Board with looking at this matter further regarding Chapter 40 for the content of the signs placed in the community and where the growing dispensaries are located in the town.

Mr. Belanger suggested addressing this issue during the Ordinance proposal process.

Mr. Chase noted that we need to be careful about how we word any changes.

Ms. Casey noted that the FDA contacted her regarding this banner and that she had not contacted them. She believes it is because she shared a photo of the sign on facebook.

Mr. Windover is not opposed to the growing operation, but is opposed to the present location on The Island and unpermitted. It should be done right.

Mr. Chase made a motion to take no action on the request tonight. Vote: 5-0

Mr. Sterling asked if this would be on the next agenda and Mr. Chase believes our concern is with the Planning Board and to see what happens with them.

F. Approval of Town Office Entry Stairs Renovation Bid

The Town Manager reported opening one bid for this item from H.E. Callahan for \$103,500.00.

An offer was conveyed by Mr. Windover on behalf of his employer, Black Bear Industrial, to donate the hand railings. They would be willing to supply the material and manpower to weld them together and install them. They would need a detailed drawing from the architect and he contacted them and also HE Callahan.

The Town Manager noted that HE Callahan provided a breakdown of the costs of the project and noted that the architect included items that were negotiable regarding the replacement of the historical wrought iron railing on top of the porch portico (and the portico roof that is leaking). Also included, was the building of a higher wall around the plantings out front in order to retain the soil from running off. This would be a nice compliment to the building for the 100 Year Anniversary of the building. There is enough money in the Town Hall Capital Fund for this project. The stairs would be replaced with granite which should last forever. We would like to get this project complete before the celebration planned in October in conjunction with Pumpkin Fest in the downtown area.

The Town Manager noted that he had spoken to H.E. Callahan regarding the donation of the handrails and the credit that would be applied to the price and will talk with architect Jim Reuter regarding the specs of the handrail and the cost value to be considered.

Mr. Belanger made a motion to accept the donation of the handrails for the Town Office Stairway Project from Black Bear Industrial. Vote: 5-0

Mr. Windover made a motion to approve the bid from H.E. Callahan, not to exceed \$103,500.00.

Mr. Belanger asked if this project would affect the sidewalks that are slated to be replaced next year.

The Town Manager noted that the architect believes that the bottom step would be located farther out by one step. The concrete stairs will stay in place and the granite will be placed on top of each stair as a base for each step. The top landing will also be repaired and made wider.

Vote on the motion: 5-0

G. Discussion to Apply to the Maine Municipal Bond Bank for Financing a Part of the Downtown Sewer, Water and Sidewalk Project

The Town Manager explained the process and what is required to apply for a bond from the Bond Bank.

Mr. Chase made a motion to approve having the Town Manager apply for a bond from the Maine Municipal Bond Bank for the Downtown Sewer, Water and Sidewalk Project. Vote: 5-0

H. Election of MMA Officers

Mr. Belanger made a motion to elect the officers that are running for the offices at the Maine Municipal Association. Vote: 5-0

8. *Executive Session pursuant to 1 MRS 405 (6)(D) for Union Negotiations with the Fire Department

Mr. Belanger made a motion to go into Executive Session at 9:15 p.m. pursuant to 1 MRS 405(6)(D) for union negotiations with the Fire Department. Vote: 5-0

Executive Session out at 9:35 p.m.

9. *Approval of any Action from Executive Session, Item 8

No action was taken.

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

Mr. Belanger made a motion to go into Executive Session at 9:36 p.m. pursuant to 1 MRS 405(6)(A) for a personnel matter. Vote: 5-0

Executive Session out at 10:02 p.m.

11. *Approval of any Action from Executive Session, Item 10

No action was taken.

12. Adjournment

Mr. Chase made a motion to adjourn at 10:03 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp