

BOARD OF SELECTPERSON'S MEETING
August 4, 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: Kevin Knox, Gabrielle Johnson, Bruce Farrin, Bob Chase, Kris Howes, Randall Therrien, Eric Giroux, R. White, Jennifer Kreckel

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

Kevin Knox asked what the schedule for road projects was for this year. The Town Manager will get the information back to Kevin so he can get the materials ready for the Town's road projects.

5. Reports

A. Selectperson's Report

Mr. Brennick did not have a report.

Mr. Chase noted that half the bridge painting has been completed on Morse Bridge and it looks very good. He also reported that he attended a meeting of the Historical Preservation District a couple days ago regarding putting a proposal together for the Historical Designation of the Downtown project. The group walked around the Island looking at the buildings and he was surprised at the deterioration of some of them.

Mr. Windover had a grandparent ask him if the Board would support a funding request for the Babe Ruth League from the cable franchise fees as they are going to Massachusetts for the World Series and they are raising funds.

Mr. Belanger noted that Jim Barnett did a good job on the porch demolition on 240 Pine Street. He asked if one of the Town's trucks got in an accident. The Town Manager answered that a truck went off the road and will get some details for him. Mr. Belanger also asked what the Town's plans are for the Clough and Pillsbury building that is tax acquired. He noted that the building should come down as there is no water or sewer or land with the building.

Jennifer Kreckel explained that they [Envision Rumford] have been working on the Clough and Pillsbury building with Key Bank who owned the property out in back. The bank is willing to give an easement that the Town would draw up and pay for which would give the Town usage of the

property. Envision Rumford would like the building to be used for a starter type of business, although there are existing problems that need to be rectified as well as ADA compliance.

Mr. Sterling wanted to bring attention to the Tri-County Babe Ruth 14 and Under Team who won the State and New England Championships and are now heading to the World Series. He congratulated the team and noted that last year's 13 year olds were one victory away from a National Championship.

B. Town Manager's Report

The Town Manager gave an update of the change order credit for the aluminum handrails for the Municipal Building front stairway project in the amount of \$1,639.00 including materials and labor. [The handrails will be donated by Black Bear Industrial.]

We have selected a bond counsel for the application to the Maine Bond Bank. The Board will need to adopt two resolutions at the next meeting that are requirements for the Bond.

The Town Manager reported that he had heard the request for the Babe Ruth team from Mr. Windover earlier and found that there is \$3,674.36 left in the cable franchise fees.

The Town Manager and Board received an invitation from Mahoosuc Land Trust for "A River Runs Through It," celebrating the trail connection from Ellis River Valley to White Cap. Another invitation was received for the Complete Dentistry Tri-Chamber Barbecue from the local Chambers of Commerce.

The Town Office furniture is due to be installed on August 12th and the phone system will be installed on August 10th. The Town Manager's Office is planning on moving on August 11th. As soon as the furniture is installed in the other offices the personnel will move back in which will clear out the other offices for the remainder of the renovation project.

The Town Manager reported meeting with the architect and contractor today for the Library and the Front Stairway Project and looked over both projects. The Library is looking very good and the project is moving right along.

C. Department Manager Reports (as needed)

There were no reports.

D. Board and Committee Reports (as needed)

There were no reports.

6. Old Business

7. New Business

**Mr. Windover made a motion to declare a critical circumstance regarding giving a donation to the Tri-County Babe Ruth Team. Vote: 5-0

Mr. Windover made a motion to donate \$1,000.00 to the Tri-County Babe Ruth Team from the cable franchise fees.

Mr. Chase asked why a representative from the Team was not present to make the request.

Mr. Windover explained that he was asked by a grandparent to take this request to the Board.

Mr. Belanger noted that this was not really a critical circumstance and the request should have been on the Agenda.

Mr. Chase noted that if someone requesting an Initiated Article is not present, we do not grant the request.

Mr. Sterling said we did this last year. The Initiated Article request is the correct way to address this he stated, however, the Team would not have known if they would make it this far at that time.

Vote: 4-1, Mr. Chase opposed.

- A. Approval of Minutes from Joint Board Meeting of July 20, 2016 with Town of Mexico and Board Meeting of July 21, 2016

Mr. Belanger made a motion to approve the minutes from the Joint Board Meeting of July 20, 2016 with the Town of Mexico and Board Meeting of July 21, 2016. Vote: 5-0

- B. Approval of the Town Warrant dated August 6, 2016

Mr. Windover made a motion to approve the Town Warrant dated August 6, 2016.

Mr. Belanger asked about a check to Legere's Hardware and thought the business had closed many years ago. Mr. Chase noted that there is a locksmith business there.

Vote: 5-0

- C. Appointment of Town Attorney per Recommendation of Town Manager

The Town Manager explained that the Town Charter states that the Town Manager must recommend the appointment of the Town Attorney in August of each year. He recommended the re-appointment of Jennifer Kreckel as Town Attorney.

Mr. Chase made a motion to approve the appointment of Jennifer Kreckel as Town Attorney per the recommendation of the Town Manager. Vote: 5-0

- D. Update on Black Mountain Ski Resort – Roger Arsenault

This item was tabled as Mr. Arsenault was not present to give the update.

- E. *Request from Envision Rumford to Close Streets for Pumpkin Fest on October 7 & 8, 2016

Kris Howes, a member of Envision Rumford, gave the Board an update of the plans for Pumpkin Fest this year. He explained that the vendor booths will now be set up in numbered spots along the side of the streets to give room for emergency vehicles to get through. They asked to close Congress Street from Hartford to the end of Congress (Route 108) from 6 a.m. to 10 p.m. to allow for set up and tear down. They would like to designate parking on Canal Street and River Street. They would also like to close Exchange Street from Congress to Canal on the night before at 7 p.m. to set up a stage for the next day.

Mr. Sterling asked if there would be a concern as Congress Street is being used as a detour from Route 108 during the bridge projects.

Mr. Chase asked if the Public Works Department could put up signs to re-direct the traffic.

Mr. Sterling thought we may have to get permission from the Maine Department of Transportation.

The Town Manager explained that the MDOT has placed all the signage for the detour while work is done on the bridges on Route 108 and we would need to check with them.

Kris Howes noted that the Festival would run from 10 a.m. to 9 p.m. on October 8, 2016.

Mr. Belanger made a motion to approve the street closure request from Envision Rumford to close specific streets for Pumpkin Fest on October 7 and 8, pending approval from MDOT.

Fire Chief Chase asked a question from the audience and Kris Howes answered that they will designate staff and vendor parking on Canal Street and the other street will have volunteers helping with parking for festival attendees.

Vote on the motion: 5-0

F. *Request from Envision Rumford to Discuss Route 108 By-Pass to The Island (near old Agway)

Jennifer Kreckel, President of Envision Rumford, introduced Randall Therrien, who is the Vice-President of Envision Rumford and will continue as President next year. They have been working on the parking situation and once we get the Historic designation and the streets and sidewalks reconstructed, we would have an influx of people opening up more stores and parking will become a critical issue. The group liked the idea of the bypass road that has been created for the detour from Route 108 and would like to maintain that opening. They would like to keep the four way stop that will help stop people from racing down Congress Street. They would also like to see if the Town could acquire the old Agway building from the current owner, Lee Buotte, by offering a land swap. The current building is reportedly full of mold and not usable and could be demolished to allow for more parking. She also asked for additional signage indicating Congress Street is one way.

Mr. Sterling noted that when the MDOT put in the bypass we thought it was a good thing, but the MDOT was not planning on keeping it. This would entail a discussion with them and a possible modification may be needed.

Ms. Kreckel asked if we should contact our State legislators and the Governor's Office regarding this matter as it would have an economic impact on the Town and may help the MDOT to consider this request more favorably.

Mr. Sterling would like to start by contacting the MDOT.

The Town Manager noted that the current owner of the Agway property would need to be in agreement with the plan.

Eric Giroux asked how much of the road the mill owns and would we still be able to allow a park and ride for snowmobilers to park.

Ms. Kreckel envisions that area would be designated as a parking area and the snowmobilers could possibly still park there.

Mr. Sterling believes we should contact the MDOT as soon as possible and other things may fall into place.

Ms. Kreckel asked if the Board would give their authority to talk to the legislator's and governor's offices.

Mr. Chase believes we should start with the MDOT and contact the state officials if needed.

The Town Manager noted we should talk to Mr. Buotte first as the ramp is on his property and then contact the MDOT.

Ms. Kreckel noted that they would need the Town's support to go forward.

Mr. Belanger believes the request to the MDOT and Mr. Buotte would carry more weight if it came from the Town of Rumford.

The Town Manager stated that he would contact Mr. Buotte and also write to the governor's office if needed.

Mr. Sterling noted that we could ask the MDOT to come to the next meeting along with Envision Rumford to discuss this.

Mr. Sterling agreed with Mr. Belanger that the request should come from the Town Manager's Office.

Ms. Kreckel noted that we want to move forward while we have momentum before the bypass is discontinued and will check back with the Town on the matter.

G. Appointment of Firefighter for Fire Department

Fire Chief Robert Chase explained to the Board that per the Charter Police and Fire are to be appointed by the Select Board. This position has been vacant for several months and the filling of this position will bring the staff to 9 positions which will allow the station to be staffed by three shifts of three. He recommended Lee Hough for the position and listed his credentials.

Mr. Brennick made a motion to approve the hiring of Lee Hough pending final medical clearance as a Fire Fighter for the Fire Department as recommended by the Fire Chief.

Mr. Belanger asked if the candidate satisfied all the qualifications in the job posting.

Chief Chase responded that the candidate has most of the qualifications but does not have Fire Fighter I and II, which was advertised as desirable. He has completed basic Fire School and the union contract allows the candidate time to get the needed training within one year.

Vote on the motion: 3-2, Mr. Belanger and Mr. Windover opposed.

H. Approval of Flooring Bid for First Floor of Municipal Building

The Town Manager explained that the Judicial Court Facilities Engineer coordinated the bid process as the Court will assume some of the costs as they rent space in the building from the Town. The following bids were received:

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|------------------------------|-------------|
| 1. Mattson's Flooring | \$21,640.00 |
| 2. Northland Custom Flooring | \$18,613.36 |
| 3. Floor Systems, Inc. | \$13,658.45 |

The Town Manager reported that the County would pay for half of the work for this project and have \$5,000.00 to put towards this project but may come up with enough to pay for half if the bid is around \$14,000.00. The Court liked the bid from Mattson's but it is too high and they also recommended Floor Systems as they have done some work for the County in the past.

Mr. Windover made a motion to approve the bid from Floor Systems, Inc. for \$13,658.45 pending the 50/50 match from the Court.

Mr. Chase asked what would happen if we do not get the 50/50 match.

The Town Manager believes the Court will be able to come up with the balance.

Vote on the motion: 4-1, Mr. Chase opposed.

I. Appointments of Town Officials and Board/Committee Members

Mr. Belanger made a motion to appoint Jolene Lovejoy and Roger Arsenault to the Board of Appeals for 3 Year Terms. Vote: 5-0

Mr. Windover made a motion to appoint David Saphier as the Health Officer for a 3 Year Term. Vote: 5-0

Mr. Belanger made a motion to appoint William Porter to the Northern Oxford Regional Solid Waste Board for a 3 Year Term. Vote: 5-0

Mr. Belanger made a motion to appoint Susan Milligan as the Animal Control Officer for a 1 Year Term.

The Town Manager noted that we do not have an Alternate Animal Control Officer at this time.

Vote on the motion: 5-0

Mr. Windover asked if he could fill the open position on the Med-Care Board.

The Town Manager noted that since this is a quasi-municipal board, there is no problem.

Mr. Belanger made a motion to appoint James Windover to the Med-Care Board for a 3 Year Term. Vote: 5-0

J. Appointment to AVCOG Executive Committee and General Assembly Committee

Mr. Windover made a motion to appoint Peter Chase to Androscoggin Valley Council of Government's Executive Committee and Jeffrey Sterling to the General Assembly Committee. Vote: 5-0

K. Reconsideration of Roy Property at 744 South Rumford Road

The Town Manager explained that if the Board wants to change their decision on this matter, it would require that the motion and second made at the last meeting be rescinded. He further explained that this is a unique situation. The Town has tax acquired the property and the former owner was not able to pay the back taxes, however, his son Matthew is prepared to pay the back taxes and pre-pay the upcoming taxes that have not been billed yet. The former owner signed a document that he would like the property to go to his son Matthew, however he is not able to receive the property back because his wife is now in the nursing home and he cannot transfer the property to his son. The son and daughter-in-law have been using a greenhouse on the property for their business for many years and would like to continue.

Fire Chief Chase noted that when the Tax Acquired Policy was written there was a provision to allow the former owner to stay in their own home if possible and for the Board to decide on each situation individually based on the circumstances. The Board can also choose to go through a competitive bid process.

Mr. Brennick noted that he feels it is important to keep family owned property within the family if possible.

Mr. Belanger was concerned that we may be circumventing the law because Mr. Roy's wife just went into a nursing home.

The Town Manager noted that the Town owns the property and the Board can decide to do what they wish with the property.

Mr. Windover was not comfortable putting this out to bid as the family may lose the property and suggested giving the house back to the son and keeping the property in the family and adding a covenant that he cannot sell the property for ten years.

The Town Manager believes the only issue is for the Town to recover the tax monies.

Mr. Belanger made a motion to rescind his motion made on June 16, 2016 concerning the Roy property. Mr. Windover agreed to rescind his second. Vote: 5-0

Mr. Windover made a motion to allow Matthew Roy to take ownership pending payment in full of all back taxes, current taxes, and any fees and to include a covenant that the property cannot be transferred for ten years. Vote: 4-1, Mr. Chase opposed.

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 8:13 p.m. pursuant to 1 MRS 405 (6) (D) for Union Negotiations with the Fire Department. Vote: 5-0

Executive Session In at 8:15 p.m.
Executive Session Out at 8:27 p.m.

No action was taken.

9. Executive Session pursuant to 1 MRS 405(6)(A) for a Personnel Matter regarding the Town Manager Position

Executive Session In at 8:28 p.m.
Executive Session Out at 8:47 p.m.

Mr. Belanger made a motion for the Town of Rumford to hire its own full-time Town Manager.
Vote: 5-0

Mr. Chase made a motion to hire David Barrett of the Maine Municipal Association to facilitate the search for the new Town Manager. Vote: 5-0

10. Adjournment

Mr. Chase made a motion to adjourn at 8:50 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp