

BOARD OF SELECTPERSON'S MEETING
August 18, 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: Steve Dymont, Stacy Carter, Bruce Farrin, Gabrielle Johnson, Donald Boucher, Michelle Boucher, Terri Palmer, Bob Chase, Andy Russell, Jim Rinaldo, Seth Carey

1. Meeting Call to Order at 7:00 by Chairperson Sterling
2. Pledge of Allegiance to the American Flag
3. Public Hearing (as needed): None
4. Good Citizenship Award Presentation to Matthew Roy

Police Chief Stacy Carter presented a Good Citizenship Award to Matthew Roy for his efforts in notifying emergency 911 and residents at the Madison Condos of the fire in the building. Chief Carter read a narrative of Mr. Roy's actions at the scene and presented the Good Citizenship Award and a special Challenge Coin from the Police Department for going above and beyond the call of duty. Chairperson Sterling also read a letter from a resident of the Madison Condos who thanked Mr. Roy for all he did to save lives in their building.

5. Requests of Citizen's Present

There were no requests.

6. Reports

A. Selectperson's Report

Mr. Windover did not have a report.

Mr. Brennick thanked Mr. Roy for his good citizenship and for making this community a better place to live in. He noted that we appreciated his service and willingness to respond when needed. He also asked for an update on the boat launch concern for the next meeting. He recently attended the MMA's Elected Officials Workshop and noted the Right-To-Know Training suggested adopting a model FOAA policy that is available online.

Mr. Chase noted that a citizen asked about the safety and security of the building on the corner of Spruce Street and Holyoke Avenue as it looked like the roof was caving in. He asked if we could have the Code Enforcement Officer take a look.

Mr. Belanger did not have a report.

Mr. Sterling reported that there is an Oxford County Budget Caucus on August 31, 2016 at 6:00 p.m. in the Rumford Municipal Building.

B. Town Manager's Report

The Town Manager reported that the Information Center recently lost one of their volunteers and is looking for someone to fill that position.

Regarding the closure of streets that were approved at the last meeting for Pumpkin Fest, Envision Rumford member Kris Howes reported that he contacted the MDOT who gave approval for the street closures as long as Hartford Street is left open for the bypass.

There will be an inspection by Bancroft Construction per Brian Smith of Brookfield Power regarding the safety concerns on the walking trail adjacent to the river in that area. A walk through on the trail will take place on August 24 at 10:00 a.m. Board members are welcome to attend.

There is a ribbon cutting on August 27 at 8:30 a.m. for Good Karma Café and Health Foods on Congress Street.

The annual MMA Convention will be held on October 5 and 6 in Bangor this year. Board members should get their registrations in to MMA if they plan to attend.

C. Department Manager Reports (as needed)

There were no reports.

D. Board and Committee Reports (as needed)

There were no reports.

7. Old Business

A. Signing of Approved Quit Claim Deed for Matthew Roy for 744 South Rumford Road

The Town Manager noted that the Board already approved the Quit Claim Deed for the Norman Roy property at 744 South Rumford Road with the provision that the property cannot be sold or transferred for ten years from when the Deed is recorded, or it will revert to the Town. The back taxes, current taxes and legal fees totaling \$10,142.00 have all been paid by Norman's son Matthew Roy and the Quit Claim Deed is in Matthew's name.

The Board members signed the Quit Claim Deed.

8. New Business

A. Approval of Minutes from August 4, 2016 and Special Meeting of August 11, 2016

Mr. Chase made a motion to approve the minutes for August 4, 2016 and Special Meeting of August 11, 2016. Vote: 5-0

B. Approval of the Town Warrant dated August 19, 2016

Mr. Brennick made a motion to approve the Town Warrant dated August 19, 2016.

Mr. Belanger asked if the bill from Adley's Auto was to repair damages for the truck accident and if it was bid out.

Andy Russell answered that the bill was for the truck repairs and they got an estimate. It was not bid out as there was insurance reimbursement expected to cover \$5,000.00, with the Town's responsibility at \$1,000.00.

Mr. Windover asked if there was an amount that the Charter required us going out to bid on.

The Town Manager reported that the Purchasing Policy requires anything over \$5,000.00 to be bid out [it does not reference insurance reimbursement matters].

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

C. Update on Black Mountain Ski Resort – Roger Arsenault

This item was tabled until the next meeting as Mr. Arsenault was not present.

D. Approval of Mortgage Note for Pennacook Falls Investments, Ltd.

The Town Manager just received notice from our Town Attorney who recommended that we have another attorney handle this issue as there may be a conflict of interest as a family member is involved with this matter and she wanted to abide with the Maine Rules of Professional Conduct. We will attempt to have this ready for the next meeting.

Mr. Chase made a motion to approve a \$30,000.00 mortgage note for Pennacook Falls Investments, Ltd.

Mr. Belanger asked about collateral for this loan.

Jim Rinaldo noted that the investors are willing to put up personal guarantees for this loan.

Mr. Brennick said he would be more comfortable tabling this item until the actual agreement was before the Board.

The Town Manager noted that the \$30,000.00 is part of the initial \$125,000.00 that the Board already approved.

Mr. Belanger believed it was approved with the understanding that the agreement listing the collateral would be prepared for this meeting so the Board would know what the collateral is before they sign.

The Town Manager reminded the Board of the terms of the loan: it would be backed with collateral, paid in 18 months at 4 percent interest, with a balloon payment at the end of the term.

Vote on the motion to approve the Mortgage Note: 3-2, Mr. Belanger and Mr. Windover opposed.

Jim Rinaldo asked what the investors are supposed to do at this point regarding a contract.

The Town Manager explained that we will write up a mortgage note and once the Board signs it, the money will be released. It should be ready by the next Board meeting in two weeks.

Mr. Windover asked what property is being mortgaged. The Town Manager explained that the investment group will offer collateral from their assets to purchase the land for their project.

E. Request for Extension of Time to Repair Building at 41 Lochness - Richard Scagliola

Mr. Scagliola explained to the Board that there was more damage to the building than was expected and that he believed he would not get the work completed before the 18 month time frame is up because of multiple circumstances. He asked for a six month extension to August of next year (2017).

The consensus of the Board was for Mr. Scagliola to continue to work on the building and come back to request an extension, if so needed, when the 18 month time period is about up.

The Board took no action at this time on this item.

F. Approval of Town Owned Property Bids

The Town Manager reported on the following bids for Town Owned Property:

Mr. Chase made a motion to accept the bid for the single family home at 447 Swain Road from Clyde Wardwell in the amount of \$7,500.00. Vote: 3-2, Mr. Belanger and Mr. Windover opposed.

Mr. Windover made a motion not to accept the bid for the multi-family home at 127 Washington Street from Clyde Wardwell in the amount of \$9,500.00. Vote: 5-0

Mr. Belanger made a motion to put the building at 127 Washington Street on the demolition list. Vote: 3-2, Mr. Sterling and Mr. Brennick opposed.

Mr. Windover made a motion to accept the bid for the multi-family home at 249 Penobscot Street from Donald and Michelle Boucher for \$200.00, with a covenant that it never be used as a multi-family building [their bid specified changing the bottom floor to an office and one living unit above]. Vote: 5-0

G. Approval of Town Owned Land Property Bids

The Town Manager reported on the following bids that were received from abutters of Town Owned "Land" property. [These properties had contained multi-family buildings that were demolished by the Town.]

222 Pine Street

Two bids were received for the vacant lot at 222 Pine Street, where a 10 unit multi-family was removed by the Town: Brian Bickford for \$200.00; and Michael Camann for \$1,050.00. Mr. Bickford planned to build a two car garage in a couple years, and Mr. Camann planned to use the property as a lawn or parking area.

Mr. Windover made a motion to accept the bid from Michael Camann for \$1,050.00 with the covenant that no multi-family building be built on the lot.

Mr. Chase was concerned about the covenant and prohibiting someone from building on this lot as it is a valuable lot and a building would help the tax rolls.

Mr. Windover raised questions about lot size restrictions.

Chief Chase noted that the higher bidder's property appears to be a vacant building owned by someone who does not live in town and is not being well maintained. He explained that he is a strong advocate for selling the lot to someone who will add tax value by building a garage as opposed to someone who has adjacent property that has not been maintained.

Mr. Brennick asked that Board members keep discussions with the whole Board.

Mr. Windover amended his motion to remove the covenant. Mr. Belanger amended his second.

Vote: 4-1, Mr. Chase opposed.

251 Pine Street

We received one bid from Michael Bean for \$1,111.00 for the vacant lot at 251 Pine Street, where a 3 unit multi-family was removed by the Town.

Mr. Belanger made a motion to accept the bid from Michael Bean for 251 Pine Street for \$1,111.00

Vote: 5-0

317 Pine Street

We received one bid from Donna Millett for \$500.00 for the vacant lot at 317 Pine Street, where a 3 unit multi-family was removed by the Town. Ms. Millett brought the bid in after the deadline, however, since there were no other bids, we accepted her bid.

Mr. Belanger made a motion to accept the bid from Donna Millett for 317 Pine Street for \$500.00.

Vote: 5-0

H. Approval of Truck 14 Snow Plow Equipment Bid

The following bids were opened in the Town Manager's Office:

- | | |
|-------------------|-------------|
| 1. H.P. Fairfield | \$69,535.00 |
| 2. Viking-Cives | \$56,993.00 |

Mr. Windover made a motion to accept the bid from Viking-Cives for \$56,993.00. Vote: 5-0

I. Adoption of Resolution of Loan Authorization for Bond Loan Agreement

The Town Manager noted that our Bond Counsel sent documents regarding the bond application process for the Downtown Water, Sewer and Sidewalk Project. Attorney Ronald Epstein explained that there are two orders or resolutions that the Board should adopt. The first document, Resolution of Loan Authorization, authorizes the loan agreement and contains other provisions relating to the details of the bond. The second document is a Post Issuance Compliance Policy that he believes the Maine Municipal Bond Bank will want the Town to have in place.

The Town Manager read the Resolution of Loan Authorization into the public record.

Mr. Chase made a motion to adopt the Resolution of Loan Authorization as read by the Town Manager (Attachment 1).

Vote: 5-0

J. Adoption of Post Issuance Compliance Policy

The Town Manager read the Post Issuance Compliance Policy into the public record.

Mr. Belanger made a motion to adopt the Post Issuance Compliance Policy as read by the Town Manager (Attachment 2).

Vote: 5-0

K. Approval of Proposal for Continued Services with Main-Land Development

The Town Manager answered questions from the Board regarding the proposal for continued services from Main-Land Development. Mr. Windover would like some "not to exceed" language in the agreement with Main-Land. Mr. Windover would like to see more information on this project as he is new on the Board.

Mr. Windover made a motion to table this item until the next meeting and to have a representative from Main-Land in attendance.

Mr. Chase asked who will be in charge of making sure we get what we are paying for.

Mr. Sterling indicated that Main-Land would hire someone in this area to be on site to oversee the project.

Vote: 5-0

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

Mr. Belanger made a motion to go into Executive Session at 8:35 p.m. pursuant to 1 MRS 405 (6)(C) for an economic development matter with Seth Carey. Vote: 5-0

Executive Session Out at 9:05 p.m.

No action was taken.

10. Executive Session pursuant to 1 MRS 405 (6) (D) for Fire Department union negotiations

Mr. Windover made a motion to go into Executive Session at 9:06 p.m. pursuant to 1 MRS 405 (6)D) for Fire Department negotiations. Vote: 5-0

Executive Session Out at 9:08 p.m.

11. Any Action taken from discussion in Executive Session

Mr. Chase made a motion to approve the Fire Department union contract. Vote: 5-0

Adjournment

Mr. Brennick made a motion to adjourn at 9:30 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp