

BOARD OF SELECTPERSON'S MEETING
September 15, 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: Dave Duguay, Doug Freeman, Bromley Cook, Maureen Cook, Steve Dymont, Kris Howes, Stacy Carter, Bruce Farrin, Andy Russell, Seth Carey, Jennifer Kreckel, Tom Bourret

1. Meeting Call to Order at 6:30 p.m. by Chairperson Sterling.
2. Pledge of Allegiance to the American Flag
3. Public Hearings:

General Assistance Ordinance Appendices A-D

Town Manager John Madigan explained the General Assistance Ordinance Appendices and the new Maximum Amounts approved by the State of Maine to go into effect October 1, 2016. This is an annual update that must be approved by Town officials.

Liquor License for Gatch's Food, Spirits, and Catering

Hawker's and Peddler's Festival Event License for Envision Rumford

There were no comments from the Board or those present at the above Public Hearings.

4. Requests of Citizen's Present

No requests were made.

5. Reports

A. Selectperson's Report

Mr. Brennick noted that there will be a Public Hearing and Presentation regarding the designation of the Downtown Historic District on September 22, 2016 at 6:00 p.m. in the Rumford Falls Auditorium. There are tax benefits to this designation and he encouraged the Board to attend. He and Mr. Windover recently attended the NIMS Training in Woodstock. The Town is now FEMA compliant. He attended a workshop at Region 9 regarding municipal and recreational marijuana. There is a lot coming down the pipeline with this issue and we must be proactive. There are some sections that have not had regulations written yet and we should have this on our radar screen.

Mr. Chase and Mr. Windover did not have reports.

Mr. Belanger asked for a status update on the Town Owned Properties that are to be demoed and those that were sold with covenants.

Mr. Sterling noted that Board members received a letter from the former owner of 628 Waldo Street regarding the tax acquired property that the Town decided to keep. If any Board members want to discuss this further, please contact the Town Manager's Office.

B. Town Manager's Report

The University College System is holding an Open House on Sept 28, 2016 from 5 p.m. to 7 p.m. with a Ribbon Cutting at 5:30 p.m. The Center will be open all day to the public. They have renovated about one-quarter of the second floor of the Tech Center Building.

The Board of Library Trustees will hold a Grand Opening of the newly restored Reading Room on September 24, 2016 from 2 p.m. to 4 p.m. with a Ribbon Cutting at 2:15 p.m.

On September 22, 2016 from 6 p.m. to 8 p.m. there will be a meeting with architectural historian Scott Hanson here in the Auditorium regarding the pursuit of the Downtown Historic District Designation.

C. Department Manager Reports (as needed)

Police Chief Stacy Carter reported that October is Domestic Violence Awareness Month and there will be some events taking place. A Domestic Violence Vigil will be held on October 3, 2016 at 6:00 p.m. at the Gazebo behind the Mexico Town Hall and Fire Department. October 12, 2016 will be the 5th Domestic Violence Awareness Walk from the American Legion to Hosmer Field and coming back to the Legion for a community dinner with various organizations present to speak on the issue. The whole community is invited.

Park and Rec Superintendent Michael Mills reported that the Fourth of July went great and next year they should be self-sufficient. The Tennis Courts repaving and repainting came out excellent and are back in use. The Park and Rec Commission have discussed that one of the pickup trucks is in bad shape and will not take a sticker. They would like to purchase a new or used pickup truck to replace this. According to the car dealerships, they would not be able to provide a used vehicle, as the turn-around is too quick. The used trucks are running \$15,000.00-\$18,000.00.

The Town Manager asked about the auctions. Mr. Mills noted that he would need to be approved up to a specific amount.

Mr. Chase asked about the status of the Capital Plan for this item.

Police Chief Carter explained that when the Code Enforcement Truck was purchased a (drug) seized vehicle was used as a trade-in. The agreement was for that truck to be primarily for Code Enforcement and be shared with the Fire and Police Departments.

Public Works Superintendent Andy Russell noted that the pick-up trucks that are in use all have a specific purpose on a daily basis.

Mr. Chase made a motion for Mr. Mills and Town Mechanic Shawn Goodrow to go to the MDOT Auction with a limit of \$12,000.00.

Mr. Sterling noted that we do not take action on items that are not publicized on the Agenda.

Mr. Belanger believes this should be placed on a future agenda so this does not set a precedent.

Mr. Windover suggested checking out a statewide auction with the Town Mechanic.

Mr. Sterling was concerned about breaking policy in the future if we do so now.

There was no second and the motion died.

D. Board and Committee Reports (as needed)

None.

6. Old Business

7. New Business

A. Approval of Minutes from Selectperson's Meeting of September 1, 2016

Mr. Belanger made a motion to approve the minutes from the Selectperson's Meeting of September 1, 2016. Vote: 5-0

B. Approval of the Town Warrant dated September 16, 2016

Mr. Brennick made a motion to approve the Town Warrant dated September 16, 2016. Vote: 5-0

C. Approval of Hiring a Reserve Police Officer

Police Chief Stacy Carter noted that in June 2016 a Police Officer left which opened up the utility position which is still open. A couple weeks ago Patrolman McLamb tendered his resignation to go to the Sheriff's Office. He graduated from the Academy last May and the Sheriff's Office will pay for his training expenses (pro-rated) in the amount of \$24,000.00. Another Officer is out with an extended injury for about six more weeks. That leaves 2 vacancies that the remaining personnel are trying to fill. In an effort to reduce overtime, he asked to hire another reserve officer. The Officer that he is recommending is Justin Carter, (Chief Carter's son) who is a graduate of Maine Criminal Justice Academy; however, the Personnel Policy has a nepotism section that needs to be considered. The Chief noted that he would remove himself from any disciplinary measures and the Captain of the Department would fill that role; if anything is egregious, the Town Manager would oversee. The Chief believes his goal is to reduce the overtime in the Department as they have been unable to fill the utility position. He believes that the nepotism policy is in place so that no applicants will be favored above another. At the present time we do not have any other applicants. This is a temporary position and the officer has applied for full time work in other communities, but presently has available time.

Mr. Brennick wanted to know how this position was advertised and how Justin came to apply.

Chief Carter noted that there are not a lot of candidates in this career field at this time. There are 20 departments across the State that are hiring. He advertises with the Maine Criminal Justice Academy MMA, and colleges that have criminal justice programs.

Mr. Belanger was opposed and believes the 2010 policy is clear and the word "should" should have been "shall" when it was written. He was on the Select Board when this policy was created and the Board did not want a family member working directly under another family member as a department head.

Mr. Windover suggested advertising in other areas, such as the State Warden's do. He believes that the citizenry would be upset if this decision was made.

The Town Manager noted that the nepotism policy says "should" not "shall" and believes the Board can make a decision based on the unique situation that we are in.

Chief Carter also noted that the officers that are filling in are doing so on their days off and also need to rest. It comes down to their safety and welfare as well.

Mr. Sterling noted that he read the policy and after much thought believed that he could not support this request as he was concerned about what would happen the next time, etc.

Mr. Chase commended Chief Carter for bringing this recommendation to the Board in attempting to be fiscally responsible and that the Chief had proposed removing himself and planning for the Captain to have oversight of this employee. Come budget time, Board members may be very concerned about the budget expenditures. He believes the Chief has thought this out very well.

Mr. Brennick was concerned about a lack of officers and being down in staffing putting a strain on the existing force. He thinks of this as more of a safety issue and would probably not support a full time position, but this would be short term and the Chief had planned to remove himself from oversight of the employee.

Mr. Belanger made a motion to take no action on this item. Vote: 3-2, Mr. Brennick and Mr. Chase opposed.

D. Request for Support from Rumford Ahead for Recreational Trail Grant Application to Restore the Rumford Falls Trail

Maureen Cook presented a request for a letter of support from the Select Board and for a 20 percent match from the Town in the amount of \$20,000.00.

Mr. Belanger was concerned that we have asked "straw poll" questions on the ballots and the townspeople are not given the whole story such as whether the Town may need to expend monies.

Mr. Brennick made a motion to draft a letter of support for Rumford Ahead from the Select Board, signed by the Town Manager, to accompany their grant application and guarantee a 20 percent match.

Steve Dymont noted that he spoke to many people during his campaign for office and found that many people are concerned about the Town overspending. He stated that the Information Center is a great attraction. He was concerned about spending again and what we will do at the end of the year. He believes the straw poll votes should be better explained. He also asked who would be liable if someone falls and is hurt on the trail. He noted that the River Walk Trail does not seem to be used very much although some teenagers come out of there and it is questionable what is being done there. People in this town want tax relief and he asked that this plan be shelved.

The Town Manager explained that Towns are exempt from liabilities by the Maine Tort Laws and we have adequate insurance coverage if there is any negligence. He also noted that he feels the Town should try to turn things around and take care of and re-invest in our community to attract new business so we can survive. We may just be at the point to turn this town around and begin to move forward with the projects that are being worked on.

Mr. Chase noted that Brookfield Power also had concerns about liability and they called in someone to look over the area and that is why it is proposed to put in fencing and remove the loose rocks.

Mr. Brennick noted that he has heard many people in his age group that want to see economic development and activities to attract young people to come here and stay here.

Ms. Cook believes there is currently a feeling of energy in the Town and feels if creativity is stopped the Town will not grow.

Vote: 4-1, Mr. Belanger opposed.

E. Approval of Hawker's and Peddler's Festival Event License for Envision Rumford

Mr. Brennick made a motion to approve the Hawker's and Peddler's Festival License for Envision Rumford. Vote: 5-0

F. Request from Envision Rumford for Funding Assistance for Pumpkin Fest Event

Jennifer Kreckel of Envision Rumford believes that things are changing along with positive energy coming into the town. Pumpkin Fest draws a lot of people to our town and many people have put in a great deal of volunteer effort. This year they have an opportunity to have a professional ice carver do a demonstration event.

Kris Howes of Envision Rumford noted that the ice carver will sculpt two large 300 pound sculptures of the Town of Rumford Logo (the Clock Tower) and another sculpture related to Pumpkin Fest. The cost of the carver is \$750.00 and Envision Rumford is also seeking to purchase pumpkins for the free carving booth for an additional \$250.00 for a total request of \$1,000.00.

The Town Manager noted there are funds available in the cable franchise fees account.

Mr. Belanger made a motion to approve the request of \$1,000.00 for Envision Rumford's Pumpkin Fest Event taken from the cable franchise fees. Vote: 5-0

G. Approval of Town Owned Property Bid for 455 High Street

The only bid received for 455 High Street was from Seth Carey for \$2,001.00.

Mr. Belanger made a motion to approve the bid from Seth Carey for 455 High Street for \$2,001.00 with the stipulation that a large tree in front of the building be removed. Vote: 5-0

H. Approval of Parade Permit for MVHS Homecoming Parade

Mr. Belanger made a motion to approve the Parade Permit for the MVHS Homecoming Parade. Vote: 5-0

I. Approval of Parade Permit for Oxford County Mental Health 5K and 10K Run

Mr. Windover made a motion to approve the Parade permit for Oxford County Mental Health's 5K and 10K Run. Vote: 5-0

J. Request to Appeal Decision Concerning Cumberland Street Sewer Main – David Duguay

David Duguay explained his understanding of the sewer blockage that occurred at his business on Cumberland Street and Lincoln Avenue (Bureau of Motor Vehicles). He hired Swasey Excavation, Neal Couture and another plumber to assess the situation. He also submitted bills for the repair work to clean out the blockage.

Public Works Superintendent Andy Russell explained there is a significant flow of water in that area that comes from Lincoln Avenue turns at Cumberland Street and proceeds down to the Aubuchon parking lot and the intersection of Falmouth and Lincoln. Mr. Russell explained his assessment of the situation and believed the clog was not in the Town's main line.

Mr. Brennick made a motion to take no action on this item.

Vote on the motion: 5-0

Mr. Duguay asked for clarification on the vote and Mr. Sterling said the Board would not take any action and referred him to the Board of Appeals.

K. Approval of Liquor License and Special Amusement Permit for Gatch's Food, Spirits and Catering

Mr. Belanger made a motion to approve the Liquor License and Special Amusement Permit for Gatch's Food, Spirits and Catering. Vote: 5-0

L. Designation of Voting Delegate(s) for MMA Annual Business Meeting

Mr. Belanger made a motion to appoint Peter Chase as the Voting Delegate at the MMA Annual Business Meeting. Vote: 5-0

M. Discussion Regarding Adoption of Ordinance Regulating Write-In Candidates

Mr. Brennick made a motion to table this item to gather further information.

The Town Manager noted that according to the State Statute there would need to be a public hearing at least 90 days prior to an election of candidates by secret ballot; therefore, there is not enough time to get this item on the November 2016 Ballot as had been requested by Mr. Belanger.

Mr. Belanger asked to have Town Clerk Beth Bellegarde present at a future meeting to discuss this.

It was mentioned that it may be possible for the Town to create their own ordinance for this issue rather than adopting the "option" from the State Statute.

Vote on the motion to table: 5-0

N. Approval of General Assistance Maximums from October 2016 to September 2017

Mr. Brennick made a motion to approve the General Assistance Maximums Appendices A-D for October 2016 to September 2017. Vote: 4-1, Mr. Belanger opposed.

O. Discussion/Approval of Estimate for Municipal Building Roof Repairs

The Town Manager explained that we have found slate tiles on the ground that have fallen off the roof and there are some that are displaced on the roof. There is also a leak coming into the Auditorium ceiling that is under the asphalt shingle tiles on another section of the roof. The quote from Hahnel Bros. Company for \$19,885.00 includes replacing the missing/loose/broken slate tiles, repairing metal flashing and repairs and replacement of asphalt shingles. The biggest part of this repair is the height of the roof on the Municipal Building and the need to get an 80 foot lift truck.

The Town Manager also noted that we are getting quotes on masonry work needed on the Municipal Building chimney and a bidding contractor noted that this will need staging because of the height of the building, which is also very costly.

During discussion there was question on whether this quote was from the contractor Hahnel Brothers or from a sub-contractor H.E. Callahan. Also, the Board would like to go out to bid on this item per the Purchasing Policy.

Mr. Belanger made a motion to take no action on this item and to place this out to bid. Vote: 5-0

P. Discussion on Changing the First October Board Meeting to October 3, 2016

The Town Manager explained that at the last meeting we had chosen October 13, 2016 for the first meeting of October, however, that would make it four weeks between meetings and getting our bills paid on time. In the meantime we have scheduled a meeting for October 3, 2016 for candidate

interviews for the Town Manager position and we can add a payable warrant to that special meeting agenda and still hold the regular meeting on October 13, 2016.

No action was taken on this item.

Q. Authorization for Town Manager to Sign Maine Bond Bank Agreement

Mr. Chase made a motion to authorize the Town Manager to sign the Maine Bonk Bank Agreement Letter. Vote: 5-0

R. Discussion to Amend Rumford Falls Entryway TIF Agreement

The Town Manager explained the potential lots to add to the Rumford Falls Entryway TIF District. There was also discussion on placing the lots on The Island into this TIF district. This action would need approval from various entities, including the townspeople, in order to amend the TIF, unless the TIF attorney recommends creating a 4th TIF district. This action is critical to the new hotel going in at the bottom of Falls Hill.

Mr. Chase made a motion to allow the Town Manager to pursue the amendment the Rumford Falls Entryway TIF Agreement to add lots 6-11, and 35-37. Vote: 5-0

8. Adjournment

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

John E. Madigan, Jr.,
Town Manager

JEMJr/tp