

BOARD OF SELECTPERSON'S PUBLIC HEARING FOR SPECIAL TOWN MEETING
November 17, 2016 6:00 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: Jim Rinaldo, Roger Whitehouse, Dick Lovejoy, John Pepin, Lisa Keim, Ryan Palmer, Dieter Kreckel, Dan Richard, Kevin Knox, Bruce Farrin, Laurie Holtzman, Kathie Carter, Karen Mooney, Elizabeth LaBelle, Tony Carter, Tom Bourret, Bob Chase

The Public Hearing was called to order at 6:00 p.m. by Chairperson Sterling.

Article 1 was read in its entirety by Chairperson Sterling and Vice-Chairperson Mark Belanger as follows:

Article 1: To see if the Town of Rumford shall designate the Pennacook Falls Municipal Development and Tax Increment Financing Districts and adopt the related Fourth Omnibus Development Program as presented to the Town Meeting, such designation and adoption to be pursuant to the following terms and provisions?

“WHEREAS, the Town of Rumford is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and,

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide new and continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, designating the Pennacook Falls Municipal Development and Tax Increment Financing Districts (referred to as the “Pennacook Falls Districts”) and adopting and implementing the proposed related Fourth Omnibus Development Program will help to provide new employment opportunities for the citizens of the Town and the surrounding region and will help the Town to continue the pursuit of business development in the Town and the region; and

WHEREAS, the Town Select Board has held a public hearing on the question of designating the Pennacook Falls Districts and adopting the Fourth Omnibus Development Program in accordance with the requirements of 30-A M.R.S. § 5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

NOW, THEREFORE, BE IT VOTED BY THE TOWN OF RUMFORD:

Section 1. The Town hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within each of the Pennacook Falls Districts, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for commercial uses as defined in 30-A M.R.S. § 5223(3); and

- (b) The total area of each Pennacook Falls District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all current and proposed tax increment financing districts within the Town (including all of the Pennacook Falls Districts) does not exceed five percent (5%) of the total acreage of the Town; and
- (c) Subject to the exclusions permitted under 30-A M.R.S. §5223(3), the original assessed value of the District plus the original assessed value of all other tax increment financing districts in the Town does not exceed five percent (5%) of the total value of taxable property within the Town as of April 1, 2016; and
- (d) The Pennacook Falls Districts are designated and the Fourth Omnibus Development Program is adopted by the Town in order to induce investment in the Pennacook Falls Districts as described in the Fourth Omnibus Development Program; and
- (e) Designation of the District and implementation of the Fourth Omnibus Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and
- (f) The Town Select Board has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that designation of the District and implementation of the Fourth Omnibus Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Fourth Omnibus Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Fourth Omnibus Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the voters of the Town hereby designate each of the Pennacook Falls Districts as tax increment financing districts and adopts the Fourth Omnibus Development Program presented to this Town Meeting and such Fourth Omnibus Development Program is hereby incorporated by reference into this vote as the development program for the Pennacook Falls Districts.

Section 3. Pursuant to the provisions of 30-A M.R.S. §5227, the term of the Pennacook Falls Districts and the Fourth Omnibus Development Program and the percentage of increased assessed value to be retained as captured assessed value in the Pennacook Falls Districts and the allocation of tax increment revenues generated with respect thereto, is hereby established as set forth in the Fourth Omnibus Development Program.

Section 4. The voters of the Town further authorize the Select Board to combine and consolidate any of the Pennacook Falls Districts to be administered as a single district, as the Select Board, in its sole discretion, may deem reasonable and appropriate, to further economic development in the Pennacook Falls Districts.

Section 5. The Town Manager be, and hereby is, authorized, empowered and directed to submit the designation of the Pennacook Falls Districts and the adoption of the Fourth Omnibus

Development Program to the Commissioner of the State Department of Economic and Community Development (DECD) for review and approval pursuant to the requirements of 30-A M.R.S. § 5226(2).

Section 6. The Town Manager be, and hereby is, authorized and empowered, at his discretion, from time to time, to make such revisions to the Fourth Omnibus Development Program, including revisions to the scope or description of the Town TIF Projects to be financed with a portion of tax increment financing revenues generated by the Pennacook Falls Districts, as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the Pennacook Falls Districts and the Fourth Omnibus Development Program by DECD, or for any other reason so long as such revisions are not inconsistent with these votes or the basic structure and intent of the Fourth Omnibus Development Program.

Section 7. The foregoing designation of the Pennacook Falls Districts and the adoption of the Fourth Omnibus Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the Pennacook Falls Districts and adoption of the Fourth Omnibus Development Program by DECD, without requirement of any further action by the Town, the Select Board, or any other party.

Section 8. The Town Manager be, and hereby is, authorized and directed to enter into and execute in the name of and on behalf of the Town, a credit enhancement agreement with the developer of the Hotel Project (as described in the Fourth Omnibus Development Program), or its designee, all as contemplated by the Fourth Omnibus Development Program and the Select Board be, and hereby are, further authorized and directed to approve one or more credit enhancement agreements with respect to any future developers in the Pennacook Falls Districts, as contemplated by the Fourth Omnibus Development Program and to authorize the Town Manager to execute and deliver such agreements, in the name of and on behalf of the Town, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the Fourth Omnibus Development Program.

Section 9. This Article shall take effect immediately upon adoption.”

Chairperson Sterling asked if there were any questions or comments.

Mr. Brennick asked if there should be a correction for a reference within the Article to be gender-neutral.

Town Manager Madigan responded that it is too late to make any changes as the Warrant has already been advertised.

Article 2: The first paragraph of Article 2 was read by Chairperson Sterling, who also noted that if this is voted in the affirmative at the Special Town Meeting on November 21, 2016, the effective date will be retroactive to November 3, 2016. Mr. Sterling ask if there were any questions or comments.

Town Manager Madigan noted that the Town Attorney wrote the proposed moratorium not only to include recreational marijuana, if so voted by the citizens of Maine, but to also include any additional medicinal marijuana growers in town until such time that the Town can develop an ordinance to more adequately regulate it. The Planning Board is working on this issue at this time. The moratorium would be in effect for 180 days and if the Town does not have an ordinance ready for the June Town Meeting to be voted upon, we could vote for an additional 180 day moratorium. He added that the required signatures were submitted for a recount on this issue.

Article 3: Chairperson Sterling read Article 3 in its entirety including the Explanation and asked if there were any comments or questions.

Town Manager Madigan noted that the MDOT contract for the work on Route 108 has been extended to December 7th and if the Town does not vote to accept this bypass, it will go back to the State for their removal and there will be no costs to the Town. The Town still needs to get a written agreement for an easement from Brookfield Power, who controls land adjacent to the canal, and from the owner of the old Agway building for a very small portion of property dealing with the road. We would also need to consider purchasing that property as the bypass is built on top of the parking area that was previously available to the Town. If we keep the road and not do anything with the adjacent land we will lose the parking area. We still have a ways to go on this issue.

Mark Belanger asked what would happen if the Town votes to accept the road and we do not get the easement from Brookfield. The Town Manager explained that the MDOT planned to hire a local contractor to dismantle the bypass and seemed willing to work with the Town regarding the costs of removal in that event.

The Public Hearing closed at 6:30 p.m.

BOARD OF SELECTPERSON'S MEETING
November 17, 2016 6:30 p.m.
Rumford Falls Auditorium

1. Meeting Call to Order at 6:35 p.m. by Chairperson Sterling
2. Pledge of Allegiance to the American Flag
3. Public Hearing (as needed): None
4. Requests of Citizen's Present

There were no requests.

5. Reports

A. Town Manager's Report

The Town Manager reminded the Board of the CDBG proposed statement, regarding not accepting any further letters of intent. He went to the Public Hearing in Augusta and spoke against the new process. They have already allocated the money available for this year but we may be able to do this over a two year plan which would require an environmental assessment by our engineer. We have several environment issues to resolve with the sewer and water and that is why they may accept our letter of intent. It was very worthwhile attending the hearing.

We did not receive any bids for the Fire Truck and Fire Chief Bob Chase will report on this later.

B. Department Manager Reports (as needed)

There were none.

C. Board and Committee Reports (as needed)

There were none.

D. Selectperson's Report

Mr. Brennick did not have a report.

Mr. Chase reported that he worked the election and it was a very busy day. We had 2,924 votes cast and about 1,000 absentee ballots. He congratulated all the winners of the elections. An individual expressed a concern about drivers of taxi cabs in our town. Our ordinance does not require the Police Department to perform background checks any longer and the citizen was concerned about enforcement in making sure the drivers were licensed and had no felonies as required by the ordinance. The Town Manager will ask the Police Chief.

Mr. Windover, Mr. Belanger and Mr. Sterling did not have reports.

Mr. Sterling also congratulated those who did not win in the elections as they put in a lot of time as well.

The Town Manager noted that Kevin Knox is in the audience and he brought to the Town Manager's attention that the Town had more room to put up more winter sand. The Town Manager agreed that we could put up another 1,000 yards and there is money in the budget. He asked if there was any objection from the Board. Mr. Knox asked if he could go right up and the Town Manager informed him to let the Public Works personnel know what happened at the meeting tonight.

6. Old Business

7. New Business

A. Approval of Minutes from November 3, 2016 and *Special Meeting of November 10, 2016

Mr. Belanger made a motion to approve the Meeting Minutes for November 3, 2016 and Special Meeting Minutes of November 10, 2016. Vote: 5-0

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

This item was moved to the end of the Agenda as the Warrant was not ready.

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

C. Approval of Bid for Sale of Park Department's 2001 Dodge Pick Up

The following bids were received:

- | | |
|------------------|-----------------------------------|
| 1. Roy Howes | \$215.00 |
| 2. Andy Dupuis | \$245.00 |
| 3. Kevin Cormier | \$350.00 (did not meet bid specs) |

Mr. Windover made a motion to accept the bid from Kevin Cormier for \$350.00.

Mr. Chase was concerned that Mr. Cormier's bid came in without being in a sealed envelope and if we were following policy by accepting his bid.

Fire Chief Chase noted that the bid states that the Board is entitled to waive any technicalities of the bid.

Vote: 4-1, Mr. Chase opposed.

D. Approval of Fire Station Floor Drain Installation Bid

The Town Manager informed the Board that the Fire Chief had received a quote for this work and the only bid we received was substantially higher. Chief Chase would like to re-bid this item to broaden the perspective with more vendors to be more cost effective. The Board agreed to re-bid this item for a later date.

E. Approval of Bid for Sale of Fire Engine 2

Chairperson Sterling noted that we did not receive any bids on this item, however an offer came in after the deadline for \$1,500.00.

Mr. Windover asked what was wrong with the truck. Chief Chase noted that it was taken out of service in 2008 and it does not pass testing to use for the Fire Department. There have been attempts to sell the

truck and have not had any success. In the meantime they have removed parts from the vehicle to use on other trucks.

Fire Chief Robert Chase noted that the person who called with a bid was a Fire Department enthusiast and purchased a Fire Station in another town in Maine and wants a show piece to place there. Scrap value is only \$700-800. WE have been storing this truck for eight years.

Mr. Belanger made a motion to approve the bid from Kevin Geroux for \$1500.00. Vote: 5-0

F. Approval of Parade Permit for Christmas in the Valley Parade

Mr. Windover made a motion to approve the Parade Permit for the Christmas in the Valley Parade. Vote: 5-0

G. Re-Appointment of General Assistance Clerk

Mr. Belanger made a motion to re-appoint Thomas Bourret as the General Assistance Clerk until June 30, 2018 to coincide with the expiration of his Tax Collector Term.

The Town Manager noted that the cost of the General Assistance program has been very low and Mr. Bourret is doing a good job in administering the program.

Mr. Bourret noted that we are now taking appointments for two days per week to take applications for assistance. He was also invited to attend the local landlord meeting in April where he spoke about the changes to the program and how they could affect the landlord and the tenant. It was a good opportunity for a dialogue with the landlords. The software program being used does come with a cost but has streamlined the administrative work for the program to a great extent. He noted that there has been a steady decline in payouts, however he expects the trend to change based on recent activity in the office. It is difficult to compare year to year as the needs change.

Vote: 5-0

8. *Executive Session pursuant to 1 MRS (405)(6)(A) for a personnel matter regarding the Town Manager position

Mr. Windover made a motion to go into Executive Session at 7:18 p.m. pursuant to 1 MRS 405(6)(A) for a personnel matter regarding the Town Manager position. Vote: 5-0

Executive Session in at 7:23 p.m.

Executive Session out at 7:49 p.m.

No action taken.

9. Adjournment

Mr. Belanger made a motion to adjourn at 7:49 p.m. Vote: 5-0

John E. Madigan, Jr.
Town Manager

JEMJr/tp