

BOARD OF SELECTPERSON'S EXECUTIVE SESSION
March 2, 2017 5:30 p.m.
Jury Room
Per 1 MRS 405 (6)(A) for an Economic Development Matter

BOARD OF SELECTPERSON'S MEETING MINUTES
March 2, 2017 6:30 p.m.
Rumford Falls Auditorium

PRESENT: Chairperson Jeffrey Sterling, Selectperson Michael Peter Chase, Selectperson James Windover, Selectperson Christopher Brennick and Town Manager Linda-Jean Briggs.
Absent: Vice-Chairperson Mark Belanger

ATTENDEES: Brie Weisman, Jon Starr, Candice Casey, Mike Mills, Len Greaney, Steve Dymont, Bromley Cook, Maureen Cook, Anne Morin, Dale Roberts, John MacDonald, Cliff Harding, Stacy Carter, Brad Gallant, Beth Bellegarde, Kevin Knox, Andy Russell, Kim Russell, Tom Bourret, Debbie Laurinaitis

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

Mr. Brennick made a motion to approve giving Evan Coleman \$2,000.00 from Economic Development Funds for a wetland study at the Puiia Business Park. Vote: 3-0-1, Mr. Windover abstained

Mr. Sterling introduced John MacDonald a former Selectman of Rumford many years ago who has lived away for many years. Mr. MacDonald shared some memories from his time here.

3. Public Hearing: (if needed)
4. Requests of Citizen's Present

Steve Dymont asked the Board why we need to hire a Code Enforcement Officer when the Town already has someone trained to do so.

5. Reports

A. Town Manager's Report

Town Manager Briggs explained that she is looking to begin an educational program regarding snow removal so residents and businesses understand their responsibility for snow storage before next winter. She also thanked the Public Works crew for working 12-14 hour days to return the streets to blacktop.

She has met with representatives from Community Concepts Financial Services to discuss opportunities available for businesses who may be looking for low interest loans for maintenance and façade upgrades.

There is an effort in the AVCOG area to educate on the benefits of expanding opportunities for broadband. There was a meeting last evening that she was not able to attend, however, she

believes this utility would be extremely important in marketing the community to those requiring high speed internet for work, school and other options.

The roads have been posted and we will advise when the posting is lifted.

Rumford Fire Department walked through the streets last week to identify those needing a smoke detector. They will be installing smoke detectors with volunteers this weekend. The smoke detectors have been given free of charge from the American Red Cross. Volunteers can check with the Fire Department if they have time to help.

The Town Manager has met with many managers and business owners thanking them for doing business in Rumford. She plans to attend as many businesses as possible to let them know we appreciate their presence in town. She will also be available to address organizations or groups on many topics. Please call to schedule a date.

We have had two department head meetings to date and she believes they will be effective as all parties will have opportunity to collaborate on the Town's needs.

We are closing in on March 13, 2017 when the 2015 tax liens mature.

She has researched tablets for the Select Board's use. Her understanding was that they would be used for electronic distribution of agendas, minutes, and back up documentations. She, along with our IT contractor, recommended the Dell Ispiron 13-5000 as a device appropriate for this purpose.

Police Chief Carter will inform the Board later in the meeting, about the increased law enforcement presence in the community yesterday.

Chairperson Sterling noted that Ms. Briggs has been working many long hours since she started here with the Town. She came in to a tornado of activity.

B. Department Manager Reports (as needed)

Police Chief Stacy Carter reported that the culmination of several months of investigations resulted in three search warrants executed between Rumford and Mexico and the arrest of 8 individuals for various drug charges. Drugs, money and firearms were seized.

C. Board and Committee Reports (as needed)

None.

D. Selectperson's Report

Mr. Brennick gave kudos to Chief Carter, the MDEA, State Police, Oxford County and Mexico Police and noted it was great inter-agency work. He thanked them for continuing to get the drugs and violence off the streets. The Park Department closed the skating rink for the season and had to cancel the Family Fun Day for lack of ice.

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

Mr. Sterling thanked the Town Manager for handing out MMA Guidelines on the roles of Select Board members. It was very helpful to him. Yesterday, at Senator Keim's invitation, he testified at the Public Hearing for the proposed LD 90 legislation.

6. Old Business

7. New Business

- A. Approval of Minutes from Select Board Meeting of February 16, 2017 and Ordinance/Charter Meetings of February 16, 2017 and February 23, 2017

Mr. Brennick made a motion to approve the Select Board Minutes for February 16, 2017 and Ordinance/Charter Minutes of February 16, 2017 and February 23, 2017. Second by Mr. Chase. Vote: 4-0

- B. Approval of the Town Warrant dated March 3, 2017

Mr. Windover made a motion to approve the Town Warrant dated March 3, 2017. Second by Mr. Chase. Vote: 4-0

- C. Discussion/Approval of MainePERS Fire Fighters Balance Due

Finance Director Deborah Laurinaitis prepared a spreadsheet for Board members. She explained that the debt owed by the Town for the Fire Fighters retirement has three options to be paid back. The balance due is \$150,993.00.

The Town Manager noted there is time to make this decision and consider the options for pay back by June of 2017.

Candice Casey asked for clarification.

The Town Manager explained that there were some miscalculations to fund the amount going forward for the Fire Fighters retirement. It has recently come to our attention and we are looking to resolve the situation so the retirement monies are there for the Fire Fighters when they need it.

Mr. Chase would like to see more information before any action is taken.

- D. Approval of Ordinance Proposals and Charter Amendments for June 2017 Warrant

Mr. Brennick made a motion to approve the amendment to Chapter 10-A, The Planning Board. Second by Mr. Chase. Vote: 4-0

Mr. Brennick made a motion to approve the amendment to Chapter 16, Excavations and Deposits in Streets. Second by Mr. Chase. Vote: 4-0

Mr. Windover made a motion to approve the amendment to Chapter 33-B, Site Plan Review, Section 2, A, 1. Second by Mr. Brennick. Vote: 4-0

Mr. Brennick made a motion to approve the amendment to Chapter 33-B, Site Plan Review with inclusion of medical marijuana. Second by Mr. Chase. Vote: 4-0

Mr. Brennick made a motion to approve the re-codification of the land use ordinances to Chapter 54 of the Ordinances. Second by Mr. Windover. Vote: 4-0

Mr. Chase made a motion to approve the new ordinance Chapter 54-I, Prohibition of Retail Marijuana Establishments and Retail Marijuana Social Clubs in the Town of Rumford. Second by Mr. Brennick.

Seth Carey was concerned about the Town not being able to realize economic benefits in putting this ordinance forward.

Police Chief Stacy Carter noted that although this passed at the State level, the town of Rumford was not in favor. He noted that other communities have experienced negative effects. We are talking about retail establishments.

Candice Casey said this legislation that was passed by the State of Maine is against federal law.

Vote: 4-0

Mr. Brennick made a motion to approve new Ordinance Chapter 15-C, Medical Marijuana License. Second by Mr. Chase. Vote: 4-0

Mr. Chase urged citizens to read and understand the ordinance changes before they vote.

Mr. Brennick made a motion to adopt the new Ordinance Chapter 55, Ordinance Governing the Large Scale Extraction of Ground Water by Aquifer-Dependent Industries from Aquifers within the Town of Rumford, Maine. Second by Mr. Chase.

Chairperson Sterling read the opinion from the Town's Acting Attorney, Kendall Ricker, on the legality of this Ordinance which was proposed by the Rumford Water District.

Chairperson Sterling also noted a two page proposal titled, "Water Protection Measure" was submitted last week by Jonathan Starr and we sent it out for legal review. He then summarized the opinion of Attorney Ricker which stated that in his opinion, municipalities can regulate, however it cannot prohibit it explicitly allowed pursuant to a permitting process. The proposal submitted by Len Greaney was also sent out for our attorney's opinion and basically the same opinion was given on that proposal as well. The ordinance proposal, and proposed change, submitted by Bromley Cook was also sent to our Attorney and the opinion was basically the same.

Len Greaney was upset that Chairperson Sterling testified in Augusta regarding LD 90, sponsored by Senator Keim and shared his concerns at length.

Cliff Harding shared concerns about citizens that have lost trust in their leaders as they have not agreed with many citizens who feel strongly about the water extraction issue. He believes that can affect things getting done in the future.

Mr. Brennick noted that the Board members have read all the legal opinions about why these ordinances are not legal and the Board must protect the town.

Vote on the motion: 3-1, Mr. Windover opposed.

E. Approval of Criminal Forfeiture CR 16-30600

Chief Stacy Carter explained that this criminal forfeiture is in the amount of \$842.50 for an arrest made in a drug case. This is a step in the process prior to the conviction. This amount traditionally goes into a drug forfeiture account that the Police Department uses to continue drug investigations or buy necessary safety equipment

Mr. Chase made a motion to accept the criminal forfeiture funds and authorize the money to be placed in the drug forfeiture account and to allow the Town Manager to sign the authorization. Second by Mr. Windover.

Mr. Brennick asked if other agencies share in the funds that are recovered. Chief Carter answered that there is an equitable division of funds shared with other agencies.

Vote: 4-0

F. Acceptance of Resignation from Planning Board and Re-Appointment of the Alternate

Chairperson Sterling explained that Jim Thibodeau has resigned from the Planning Board as he believes there may be a conflict for him with his position on the Board of the Rumford Water District.

Mr. Sterling made a motion to accept Mr. Thibodeau's resignation with gratitude. Second by Mr. Windover.

Mr. Chase noted that Jim Thibodeau has working and served on boards in the town of Rumford for over 40 years.

Vote: 4-0

Mr. Windover made a motion to appoint Alternate Gina Hinckley as a full time member of the Planning Board. Second by Mr. Brennick [Mr. Thibodeau's unexpired term ends in July 2017].

It was briefly discussed whether or not we should advertise to fill the Alternate position or wait until the end of the fiscal year.

Vote: 4-0

G. Discussion/Approval to Place Extension of Med-Care Agreement on Annual Town Warrant

Mr. Windover asked to move this question until there is a full Board present.

Fire Chief Chase, a member of the Med-Care Board, noted that the Agreement expires in June 2018, however, it would be helpful to be prepared in advance for placement on the ballot this June 2017. If there are any changes desired, or need of feedback, there is time for them to be considered.

Mr. Brennick made a motion to table this item until March 16, 2017. Second by Mr. Windover.
Vote: 4-0

H. Approval of Parade Permit for Super Bowl Parade

Mr. Windover made a motion to approve the Parade Permit for a Super Bowl Parade. Second by Mr. Brennick.

Police Chief Stacy Carter explained that Roger White is working with the River Valley Chamber of Commerce to honor the New England Patriots for their recent Super Bowl Win and to bring the community together to celebrate. Black Mountain of Maine will also have a function after the parade. The parade will be held on March 31, 2017 at 6:00 pm at Mountain Valley High School.

Vote: 4-0

I. Discussion/Approval of Domestic Violence Policy

Town Manager Briggs requested that Items 7-I, 7-J and 7-K be moved to a later date to allow more time to consider these proposals.

Mr. Windover made a motion to table these items to a later date. Second by Mr. Brennick.

Vote: 4-0

J. Discussion/Approval of Information Technology Policy

K. Discussion/Approval of Rules of Order and Procedure for Board of Selectpersons

8. Adjournment

Mr. Brennick made a motion to adjourn at 8:49 p.m. Second by Mr. Windover. Vote: 4-0

Linda-Jean Briggs
Town Manager

LJB/tp