

SPECIAL HEARING
December 21, 2017 5:30 p.m.
Rumford Falls Auditorium

1. Seth T. Carey Request for Action Regarding Administrative Warrant Relating to 105 Congress Street.

Mr. Brennick explained the contents of a letter dated December 8, 2017, regarding complaints of harassment relating to 105 Congress Street and accusations/ complaints against the Town Attorney. Ted Small, from Skelton, Tainter & Abbott representing/ counsel the Select Board for this hearing, regarding any legal questions. Warrant issued by Judge Dow; search warrant for the property at 105 Congress Street.

Mr. Chase made it clear that Mr. Carey was late for the meeting that was requested by him; it was rude to make the Board wait for him to arrive to begin proceedings.

Mr. Carey came to the podium to explain the reason for his tardiness; being in Portland for a Federal Court matter.

Mr. Carey spoke of the alleged harassment, which in his opinion seems personal, by the Town Attorney. This harassment, relating to a parking issue. He expressed many personal opinions, regarding the Town Attorney and her husband, as part of an investment opportunity in a hotel project, in Rumford, a revolving loan relating to that project, the "Big pile of rubble", that exists at the site, the appearance of the "gateway to Rumford." The difficulty of doing business in Rumford, attracting new businesses to Rumford.

Mr. Brennick asked what exactly Mr. Carey was requesting from the board. Mr. Carey asked; "the Town Attorney stop harassing a local business for no reason."

Mr. Brennick called Mr. Coulombe, CEO, to podium for questions and answers, relating to 105 Congress Street, Rumford, building codes and ordinances and building use laws, as well as, questions relating to Town Attorney acting as a legal guide, in the search warrant process.

Mr. Brennick asked questions relating to the "old Puiia's building" on Spruce Street, Rumford, and gaining access for inspections, etc. Mr. Coulombe responded that there have been no issues with gaining access to the building or getting relative questions answered and town requirements for buildings met.

Mr. Brennick called Chief Chase, to the podium for questions and answers, relating to 105 Congress Street, Rumford, building codes- fire, ordinances- fire and building use laws- fire, as well as, questions relating to the Town Attorney acting as a legal guide, in the search warrant process.

Mr. Brennick asked questions relating to the "old Puiia's building" on Spruce Street, Rumford, and gaining access for inspections, etc. Chief Chase responded that there have been no issues with gaining access to the building or getting relative questions answered and town requirements for buildings met.

Mr. Chase asked questions about Pennacook Falls Investment Group, relating to the plan for mitigation of the property on Spruce Street, Rumford.

Mr. Belanger asked questions relating to the likelihood of fire danger from frozen material. Chief Chase answered questions relating to frozen and or wet wood chips, as a fire hazard, in that material is combustible in nature. Also, explained concerns relating to building use permits and the required and necessary inspection of buildings under the town ordinance. Mr. Belanger also, asked questions regarding, obtaining of an administrative search warrant, from the Town Attorney in these matters and the authorization of such. Chief Chase answered questions and explained, in his tenure, that he has never been denied repeated requests for access to a building for inspection. Mr. Carey did allow access, knowing that he could be held in contempt of court.

Mr. Windover asked questions regarding recommendations for fire prevention. Chief Chase declined to answer the question, due to, not having the complete and final plan and processes for property/site use and intent and permits relating to.

Mr. Brennick made the board aware of the specific focus of this hearing and to not discuss issues outside of that focus that relates to decisions by other boards, etc.

Mr. Chase asked questions relating to potential hazardous gases that may be produced by decaying/rotting organic material. Chief Chase gave explanation of hazards and toxicities associated.

Mr. Brennick asked for any additional comments or questions.

Mr. Windover explained his use of bagged leaves surrounding his foundation and his disbelief of the fire hazard it could possibly cause. But, does understand the risks of these materials being inside a building.

Mr. Chase brought forth his experience as a career firefighter and the instances in which fire did combust in these situations of piled wood chips.

Mr. Carey questioned Mr. Chase's insight, experiences and credentials in relating to fire hazards.

Mr. Brennick reminded Mr. Carey that he must stick to the facts at hand. Not making insinuations concerning board members.

Mr. Carey spoke of his feeling of hypocrisy for his project as opposed to the Pennacook Falls Group project.

Mr. Brennick answered his questions, explaining that the Pennacook Falls Group has been very proactive in taking correct measures, permits, rules, regulations, requirements and etc. with the DEP, Town of Rumford and all related organizations associated with the property use and building, for the project. Mr. Brennick also, explained the falsehoods expressed by Mr. Carey, that there have been oversights, none which are substantiated. The rules, regulations, requirements and etc. apply for every project and anybody wanting to do business in Rumford. Mr. Brennick reiterated the board's position of safety to the Town of Rumford and its' residence.

Mr. Carey again, spoke of his perceived discrimination and the focus, regarding his project.

Mr. Belanger expressed his desire for these details to be worked out, as the Town and Board are pro-business.

Mr. Carey again, questioning the motives and character of the Board of Selectpersons, the Town Manager and the Establishment.

Mr. Brennick reminded Mr. Carey to stop with conjecture and opinions and focus on the matters related to this special hearing. He also, expressed the Board's desire for promoting and welcoming of new businesses in the community. Safety of the citizens and business owners is the priority of the Board.

Mr. Chase addressed Mr. Carey about following the rules, requirements and regulations for new business, and he will be supported.

Mr. Carey explained the reason for not changing building use. Also, his opinion, that Rumford is not pro-business or supportive of new business. He gave examples relating to his opinion, regarding to other businesses he has tried to bring to this community.

Mr. Brennick addressed and outburst from the audience.

Mr. Brennick asked for any additional comments or questions. None came forward.

Mr. Brennick made a motion to allow Attorney, Mr. Small to come forward to speak and answer questions regarding a motion or need for a motion, action or no need for action regarding this hearing. Seconded by Mr. Windover.

Mr. Chase addressed Mr. Carey, to go thru the proper channels for his new business venture, with Code Enforcement Officer and Fire Chief. There is no evidence that Town Attorney did anything improper in relation to the administrative warrant for, 105 Congress Street. Also, no evidence in the case of harassment of Mr. Carey by Town Attorney.

Mr. Carey questioned why Mr. M.P. Chase was able to rule in this hearing, as he is related to Mr. R. Chase showing "favoritism"; in Mr. Carey's opinion should recuse himself.

Mr. Chief Chase responded. Explaining that the board is in no position of authority to determine inspection criteria for Code Enforcement Office and Fire Chief. State Law gives the authority. Explaining no bias in the process, regulated by law. Expressed that if there had been a lack of efficiency in this process, the exorbitant costs and additional steps that have had to be bared by the Town of Rumford, as well as, in trying to get a legal/ lawfully authorized inspection of Mr. Carey's property.

Mr. Coulombe gave Mr. Carey all documentation for rules and regulations, ordinances and applications regarding 105 Congress Street. Mr. Carey's lack of compliance has caused these issues. As far as, the Pennacook Falls Group project, every rule, regulation and etc. has been addressed and followed thru to completion of requirements. Mr. Coulombe explained each and process and the completions.

Mr. Carey inquired about financial loans regarding the Pennacook Falls Group project and payments of such. Town Manager addressed these questions. Mr. Brennick addressed these inquires as well.

Mr. Small addressed the laws regarding these matters and the processes involved.

Mr. Brennick expressed the sentiments of the Board and the displeasure with the extensive financial costs associated with this proceeding, to the Town of Rumford. Mr. Brennick also, disagreed profoundly with Mr. Carey's claims and accusations of harassment by the Town Attorney and Mr. Carey's perceived notion of the Town Attorney initiating any process related to Town government.

Mr. Chase questioned the time frame for compliance. Mr. Coulombe answered Mr. Chase's questions at length and issues related to other boards.

Mr. Chief Chase addressed the violations that are in existence now.

Mr. Carey expressed his desire to work more effectively and efficiently with the Town of Rumford and asked the Board of Selectpersons to agree, when welcoming new business to the community.

Mr. Brennick summarized the hearing, results and the wishes of the Board of Selectpersons for future business.

5 minute recess, to prepare for the regular Board of Selectpersons meeting.

BOARD OF SELECTPERSON'S MEETING MINUTES

**December 21, 2017 6:30 p.m.
Rumford Falls Auditorium**

PLEASE NOTE THAT ALL QUESTIONS OR COMMENTS MUST BE ADDRESSED FROM THE PODIUM FOR DIGITAL RECORDING PURPOSES. PLEASE RAISE YOUR HAND TO BE RECOGNIZED BY THE CHAIRPERSON OR COME TO THE PODIUM.

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

Absent: James Theriault

ATTENDEES: Richard Coulombe, Eric Giroux, Tom Bourret, Mike Mills, Bob Chase, Tony Carter, Dieter Kreckel, Jennifer Kreckel

1. Call to Order

2. Pledge of Allegiance to the American Flag

2. Public Hearing: Taxi/Cab License Gilbert Gary Scott- Private Taxi
No Comments
Taxi/Cab License Jane Wardwell- River Valley Taxi
No Comments
Taxi/Cab License Chester White- Mountain Valley Taxi
No Comments
Taxi/Cab License Charles Martin- Red's Taxi
No Comments

4. Special Presentation or Award:

5. Comments:

- A. Public Comment: No Comments
B. Town Manager's Report

- I would like to take the time wish you and your families a very Happy Holiday season. Enjoy your families and be safe.
- Winter is here, please note, we will be enforcing the snow removal ordinance. We are aware some have limited places to deposit snow, but, you should not deposit on the sidewalks or roads. We are asking for voluntary compliance as a means to avoid a warning and/or fine for violation.
- We are still looking to identify the oldest resident in Rumford as we hope to reinstitute the Boston Post Cane award. If you know of someone that may qualify for the award, contact my office

- Attended a tour of Brookfield Hydro plant
- Participated in two hearings for dangerous buildings. We will schedule the demolition of these buildings in the near future.
- This year we have put emphasis on removing buildings in accordance with the policy used to deal with Tax Acquired and underperforming properties. To date, we have demolished buildings at:
227 Spruce St., Kimball School, barn in Rumford Center at 1364 Route 2, 142 Cumberland, 125 Rumford, 26 Falmouth, 60 Falmouth.
- Slated for demolition as resources are available are;
127 Washington, 207 Spruce, 153 Route 108.
- 16 Free St. will be considered by the board at the January 4, 2018 meeting
- Met with a developer about future projects
- Attended Rotary Christmas Dinner
- Received VRAP money from the state for the hotel project, we are in the process of disbursing funds to contractor for previous work done. Demolition is still expected before the end of the year or first week in January
- Moontide Springs all equipment has been ordered and is fully financed. Have come to terms with an investor for a \$2 million cash infusion which will be used to retrofit the plant. Expected closing by mid-January. They expect to be bottling water by March 2018.

C. Department Head or Committee Chair Report:

Chief Chase expanded on, Town Managers Snow Ordinance report, in relation to compliance of Fire Hydrants and Call Boxes.

D. Selectperson's Report:

Mr. Belanger wished everybody a Merry Christmas and a Happy New Year.
Mr. Chase reiterated Mr. Belanger's words
Mr. Brennick also, reiterated the same.
Mr. Brennick attended the Departments Heads meeting on Tuesday, December 12, 2017, invitation by the Town Manager. Chief Chase was presented with a National Award, from Kyes Insurance Co., for excellence in safety. He congratulated Mr. Chase on his work.

6. Old Business: None

7. New Business

A. Approval of Minutes from Select Board Meeting of December 7, 2017

The motion was made by Mr. Belanger to approve. Seconded by Mr. Windover.
Vote- 4-0

B. Approval of the Town Warrant dated December 21, 2017

The motion was made to approve. Seconded by Mr. Brennick
Vote- 4-0

C. Approval Taxi Cab License Gilbert Gary Scott- Private Taxi

Mr. Belanger made the motion to approve. Seconded by Mr. Chase
Vote- 4-0

D. Approval Taxi Cab License Jane Wardwell- River Valley Taxi

Mr. Belanger, Mr. Windover and Mr. Chase had concerns regarding insurance. Mr. Wardwell came to the podium, explained he has insurance; without insurance he could not register his cars or receive the license plates for them. Mr. Wardwell, Jr. will provide the paperwork requested, regarding the "auto-rider" in addition to liability, by tomorrow morning. The Board agreed.

Mr. Brennick made the motion to approve, conditional on presenting a new certificate of liability, with checks in the correct locations on the form. Seconded by Mr. Windover
Vote- 4-0

E. Approval Taxi Cab License Chester White- Mountain Valley Taxi

Mr. Windover made the motion to approve. Seconded by Mr. Belanger
Vote- 4-0

F. Approval Taxi Cab License Charles Martin- Red's Taxi

Mr. Windover made the motion to deny approval, pending correct commercial liability insurance coverage information. Seconded by Mr. Belanger
Vote- 4-0

** Mr. Windover, Mr. Belanger and Mr. Chase asked for the wording of the ordinance. Chief Chase read the ordinance as written, regarding Taxi Cab/ Vehicle for Hire Licenses. Suggestions were brought forth to customize the ordinance and or charter regarding the paperwork required for approval of these licenses. **

G. Approval of Rumford Water District Trustee Stipend

Mr. Brennick read the letter to the Board.

Mr. Belanger brought forth concerns regarding statute regarding the Rumford Water District.

Mr. Chase brought forth concerns regarding stipend and the amount of the increase.

Mr. Brennick agreed with Mr. Belanger and Mr. Chase.

Mr. Chase made the Motion to approve. Seconded by Mr. Brennick.

Vote- 1 Mr. Chase -3 Mr. Brennick, Mr. Belanger, Mr. Windover-opposed

H. Approval of Town of Rumford Safety Policy Mission Statement

Mr. Belanger made the motion to approve. Seconded by Mr. Chase.

Vote- 3-0-1 Mr. Windover -abstaining

I. Approval of Town of Rumford Public Works- Loader #16 Bid- Closed December 18,2017

Mr. Brennick asked Mr. Mills to the podium to express his opinion on preference for the Bid.

Mr. Windover questioned why Beauregard Equipment was not included in the bidding process. Mr. Windover received a call from, Peter Adams, of Beauregard Equipment with those concerns. Mr. Windover also, questioned why the loader needs to be replaced, with so few hours on it.

Mr. Mills expressed the products quality is not good and wear and tear.

Mr. Belanger also brought forth many concerns about the use and maintenance of the loader.

Mr. Chase interjected his opinion.

Mr. Brennick expressed that any issues regarding bids be brought to the Town Manager or the Department Head requesting or posting the bids. These issues need to be brought up in advance of, the meeting.

Mr. Brennick made the motion to approve the Bid from, Chadwick- Baross. Seconded by Mr. Chase

Vote- 3-1 Mr. Windover- opposed

J. Approval of Town of Rumford Parks & Recreation- Commercial Lawn Mower Bid- Closed December 21, 2017

Mr. Brennick asked Mr. Mills to the podium. Mr. Mills explained that the mower is worn out.

Mr. Windover and Mr. Belanger brought forth concerns and questions.

Town Manager made it clear that the piece of equipment was in the budget; was part of the 5 year capitol plan and scheduled to be replaced in this Fiscal year.

Mr. Chase made the motion to approve. Seconded by Mr. Brennick.
Vote- 2-2

8. Adjournment

Mr. Belanger made the motion. Seconded by Mr. Chase.

Linda-Jean Briggs
Town Manager

LJB/pc