

EXECUTIVE SESSION
February 15, 2018 4:30 p.m.
Rumford Falls Auditorium

1. Employment Legal Matters
2. Economic Development

PUBLIC HEARING
February 15, 2018 5:30 p.m.
Rumford Falls Auditorium

1. Board of Selectperson's Public Hearing for Ordinance Requests or Charter Amendments
5:41 p.m.

Attorney Kreckel came forth to remind the Board that this is a hearing; no decisions to be made on this date.

Mr. Brennick agreed and asked for any further requests to come forward, to be heard by the Board.

Chapter 3 Finance Committee, Section 4, 5, Article VI, Section 2 Charter

Town Clerk, Mr. Bellegarde, came forward to address a Charter change request, as it relates to Election and Warrants.

Mr. Brennick reiterated the change request.

Property Maintenance Ordinance, Section 1,2,3,4

Code Enforcement Officer, Mr. Coulombe, came forward to address an Ordinance request. There is no present Building Maintenance Ordinance.

Mr. Brennick asked questions. Answered by Mr. Coulombe

Mr. Belanger asked questions concerning violation of an ordinance. Answered by Mr. Coulombe.

Mr. Chase asked questions regarding the Appeal Process relating to violation of an Ordinance. Answered by Mr. Coulombe.

Mr. Windover asked questions relating to Ordinance for the, NFPA Life Safety Code. Answered by Mr. Coulombe. Chapter 54 A and B. Mr. Coulombe explained the IBC Building Code, using it as a guide.

Attorney Kreckel came to the mic to clarify the ordinance, rules and regulations involved in violations, appeals; that would ultimately be addressed by court proceedings.

Mr. Brennick brought forth concerns of privacy associated with private homes and possible conflict regarding this ordinance. He feels more discussion is needed on this matter.

Mr. Chase also, expressed concerns relating to privacy and the ordinance. Mr. Coulombe answered questions and agreed to make changes to his request.

Chapter 40 Political and Yard Sale Signs Ordinance

Mr. Brennick read the ordinance and the suggested changes and additions.

Mr. Chase asked questions. Answered by Mr. Coulombe.

Town Manager gave her interpretation of the ordinance. She also, answered questions from Mr. Windover, relating to Town property.

Chief Carter was asked for his Interpretation and understanding of the ordinance, as it relates to both town owned and private property.

Mr. Chase asked questions related to political signs. Answered by Mr. Coulombe.

Mr. Brennick defined and clarified the ordinance for all, relating to “public way”.

Ms. Casey spoke of state statute compliance.

Chapter 43 Changeable Message Sign Ordinance

Mr. Coulombe interpreted the ordinance and explained the changes and additions.

Mr. Brennick spoke of technical issues that require more discussion.

Concerned Citizens Regarding Barking, Unleashed and Unattended Dog(s)

Mr. Brennick read the citizen ordinance request.

Chief Carter explained the law already on the books, regarding these issues. In his opinion, there is no need for an ordinance.

Mr. Brennick expressed his concerns.

Mr. Belanger asked questions regarding “leash” laws.

Mr. Belanger brought forth the Taxi/Cab safety issue and the drafting of rules, regulations, state laws and an ordinance relating to the topic, by Thursday, February 22, 2018.

Town Manager spoke of rules, regulations and specific criteria companies have to meet prior to obtaining a commercial Taxi/ Cab License.

Chief Carter came forth with changes to the Parking Ban ordinance; changing to a “storm “based winter parking ban. He explained his reasoning. No information was given to the Board for review.

Mr. Brennick asked to keep Mr. Mills, the Public Works Director apprised on this probable change.

Mr. Davis asked questions relating to an ordinance request he submitted last summer. Mr. Brennick assured him that his request would be addressed and discussed for potential and viability.

BOARD OF SELECTPERSON'S MEETING AGENDA
February 15, 2018 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, Selectperson James Theriault and Town Manager Linda-Jean Briggs

ATTENDEES: Richard Coulombe, Eric Davis, Stacy Carter, Tom Bourret, Beth Bellegarde, Candice Casey, Jennifer Kreckel, Ryan Palmer, Dale Roberts, Steve Dymont, William Porter, Rick Dunton-Main Land, Dan Flaig- Wright –Pierce, Brian Gagnon, Jolene Lovejoy, Daniel Richard, April McLean, Brad Adley, Jim Thibodeau

1. Call to Order
2. Pledge of Allegiance to the American Flag
 2. Public Hearing
None
 3. Special Presentation or Award
None
5. Comments
 - A. Public Comment
None
 - B. Town Manager's Report

Town Manager Report
02/15/18

- Met with Peter Cox who is working on a grant project to get resources to those in need of a job
- Attended a plan Review and Coordination meeting on the downtown project with the Water District, CEO, engineer and inspector
- Interviewed three perspective utility firefighters
- Met with Public works Union officials to begin contract negotiations
- Met with CMP Field Planner to discuss the feasibility of moving 7 poles on Canal to the opposite side of the road
- Attended Jim Theriault's swearing in ceremony. I would like to publicly congratulate him on his appointment
- Met with grant writer for the CDBG application
- Met with Health Trust Director to discuss our rate experience.

Major projects in queue

- MHRC response due 2/16
- 2019 Budget due 2/15
- CWSRF application to the Bond Bank due 2/21
- Prepare RFP for Broadband project 3/10
- Prepare documents for light fixture purchase 3/15
- Negotiate Public Works Contract
- Working with no less than 4 attorneys on legal matters
- Interviews for Fire Chief replacement

Many of these are very time consuming and detailed. Under normal circumstances they would be properly placed in the Economic Development department. It should come as no surprise, I have included this position in my budget request we will discuss over the coming weeks. We are on a wave for some great things to happen in Rumford. The people knew this when they approved the creation of an Economic Development Department in the 2013 Comprehensive plan update. I ask for your support and that of the people to ensure we are properly staffed to ride that wave as long as necessary.

C. Department Head or Committee Chair Report (as needed)
None

D. Selectperson's Report
None

**All congratulated Mr. Theriault on his appointment, for Oxford County Sherriff ** A round of applause was given to Mr. Theriault.

Mr. Brennick thanked Town Manager for attending the Community Lunch at Mountain Valley High School.

6. Old Business

7. New Business

A. Approval of Minutes from Select Board Meeting of February 1, 2018

Mr. Belanger made to motion to approve. Seconded by Mr. Windover
Vote-5-0

Mr. Brennick made motion to allow Evan Coleman to speak Seconded by Mr. Belanger
Vote-5-0

Mr. Coleman gave updates on his purchase and development plans for the Bangor Savings Bank building; as well as, 91 Canal Street. 80 % complete in the demo process. Corner Stone Engineering; working on basic engineering package for natural gas lines for the down town. Coordinating with Main Land for a work plan and construction with Sargent Corporation.

Mr. Chase asked question relating to time lines and interference between the gas line project and the down town project. Answered by Mr. Coleman. He also expressed his desire for no interruptions with the down town

project and promises made to the town's people. Mr. Coleman assured the Board that this project would work diligently within the time line discussed and specified.

B. Approval of the Town Warrant dated February 15, 2018

Mr. Brennick made to motion to table the warrant to the end of the Agenda, as he has not had an opportunity to review it. Seconded by Mr. Belanger.

Vote-5-0

Prior to adjourning 8:14 p.m.

Mr. Brennick made the motion to approve the warrant. Seconded by Mr. Windover.

Vote- 5-0

C. Town Manager's Contract for Signatures from Select Board

Contract approved and signed by all Selectpersons. \$82000.00 for the next fiscal year and 2 % annually for years two and three, as well as, an additional 1 % based on performance. A severance package completes the contract.

D. Preliminary Review of Permit Application for Large Water Extraction, from Rumford Water District- Public Hearing Scheduled for March 1, 2018

Mr. Brennick asked Mr. Coulombe for update and progress on permits and application, relating to this project.

Mr. Coulombe expressed that all necessary information and paperwork is in order and ready to go to Public Hearing on, March 1, 2018, as advertised, at 5:30p.m.

Mr. Chase brought forth time related concerns for the Public Hearing.

Town Manager suggested moving some of the non-priority less time sensitive Agenda items to a following meeting date. Mr. Brennick and the Board agreed.

Mr. Brennick made the motion to approve Public Hearing for March 01, 2018, for the application from the Rumford Water District. Seconded by Mr. Belanger.

Vote- 5-0

Mr. Belanger made the motion to deem the application complete. Seconded by Mr. Theriault.

Vote- 5-0

E. Approval of Maine Municipal Association Summer Municipal Internship Grant Award

MMA will make three grant awards of \$1500 each

One \$1500 award will be for a municipality over 7,500 population

Two \$1500 awards will be for municipalities under 7,500 population

To be presented at the conclusion of the completed summer internship program in August 2018.

Town Manager expanded on this topic; benefits and future possibilities participating in this program.

Mr. Chase asked questions. Answered by Town Manager

Mrs. Casey asked financial related questions.

Mr. Chase gave strong support for the program.

Mr. Chase made the motion to approve and pursue an intern through the project. Seconded by Mr. Theriault.
Vote-5-0

F. Approval of Contract with Sargent Corporation for Downtown Island Project

Mr. Belanger asked contract questions; terms and conditions.

Mr. Chase made the motion to allow Mr. Rick Dunton, from Main Land, to speak. Seconded by Mr. Belanger.
Vote- 5-0

Mr. Dunton handed out paperwork to the Board, Article 14 and 14.02, B5- General Terms and Standard Conditions.

Town Attorney reviewed and explained items to address and concerns with the contract; any deletions Costs/ pricing, time frames, minor issues and provisions relating to the specifications of the project; change orders, insurance, bond issues, indemnification, waivers, performance, compliance, copy right issues, infrastructure details and policies, as well as, with Main Land and Sargent Corporation.

Mr. Belanger asked questions. Answered by Mr. Dunton.

Mr. Windover had concerns regarding liquidated damages; costs being too low, page 3.04. Concerns for incentives for finishing project on time. Suggests retainage be set at 10%, instead of 5% as contract reads.

Town Manager explained, working with contingencies, appropriations and unspecified funds.

Mr. Belanger also, expressed cost concerns and liquidated damages and change orders.

Mr. Chase asked questions concerning work orders, delays.

Mr. Brennick made suggestions regarding the contract.

Town Manager explained the downside to waiting and ratifying the contract and the many concerns.

Mr. Windover made the motion to amend liquidated damages from \$50 and \$100 to \$1000 and \$2000. Amend retainage to 10%.Approval pending the changes. Seconded by Mr. Belanger.
Vote- 2-3 Mr. Brennick, Mr. Chase, Mr. Theriault against

Mr. Chase is not in favor of changes and potential for delays.

Mr. Brennick also has concerns regarding changes and potential for delays. He also reminded the board that a professional, Rick Dunton was hired to oversee this project and the board should trust his judgment and expertise.

Mr. Dunton reassured Mr. Windover of the contract contents and provisions.
Town Attorney also, expressed her opinion with making changes and the lack of good judgment from the board; changing contracts at this point; not a good faith effort and not good business.

Mr. Chase made the motion approve signage of contract by the Town Manager, as presented. Seconded by Mr. Theriault

Vote- 5-0

G. Approval of Request from Western Valley Access Channel for Station's Share of the Local Franchise Fees from Spectrum Cable for the Purpose of Providing Local Access Channel Programming

Mr. Windover made the motion to approve \$2/3 of cable franchise fees. Seconded by Mr. Theriault.

Vote-5-0

H. Legal Clarification of Powers and Duties of the Park and Recreation Commission

Town Attorney explained Town Charter Article 18, Town Manager has authority, as chief executive officer. Article 15 Parks Commission only has power over the actual field, maintenance of and rental of, making policy, budget, recommendations and purchasing of equipment. The commission has no jurisdiction over hiring, firing, conducting investigational matters, reprimanding and or employee matters of any kind. Issues are brought to the Superintendent and to the Town Manager.

Mr. Richard addressed the board with heated confusion for authority, as to duties and responsibilities of the Park Commission.

Mr. Belanger read the Charter and asked Mr. Brennick for his interpretation.

Mr. Belanger interjected his interpretation.

Mr. Windover asked questions.

Town Manager explained her position and criteria for the Park Commission in relation to fiscal decisions and responsibilities, time lines, directives and budgetary related items.

Mr. Chase suggested a workshop directly with Parks Department Superintendent, Commission, Town Manager, Select Board and Town Attorney.

Mr. Brennick agreed. Next Park Commission meeting is March12, 2018.

8. Adjournment

Mr. Brennick made the motion to adjourn. Seconded by Mr. Chase.

8:16 p.m.

Linda-Jean Briggs

Town Manager

LJB/pc