FARMINGTON BOARD OF SELECTMEN

Tuesday, November 25, 2014

Vice Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Michael Fogg, Andrew Buckland and Stephan Bunker. Ryan Morgan was absent. Town Secretary Linda Grant, Code Enforcement Officer (CEO) Steve Kaiser (6:30-6:55 P.M.), Police Chief Jack Peck (6:30-7:44) and members of the press and public were also in attendance**.**

ITEM 1: Pledge of Allegiance to the Flag

Vice Chairman Joshua Bell led those present in the Pledge of Allegiance to the Flag.

ITEM 2: To hold a Hearing to Determine whether a Structure owned by Ted Gay, Located at 130 Wilton Road, is Dangerous or a Nuisance within the Meaning of 17 M.R.S. §2851

Richard Davis stated that this item has been advertised as a hearing, and Code Enforcement Officer (CEO) Steve Kaiser has been in contact with Ted Gay's representative. Mr. Kaiser handed out copies of a photo taken of the property this date and reviewed the activities that have taken place with this property, including the failure of the plan for remediation of said property. He asked for the Selectmen's guidance in determining the procedure for securing this property against the elements, and from illegal, unauthorized entry, as there are health and safety issues. Attorney Anne Torregrossa from the Lewiston law firm of Brann and Isaacson was present and explained Mr. Gay's and his daughter Andra Hutchins' positions in this matter. Attorney Torregrossa asked the Selectmen to consider Ms. Hutchins' request to be given the time period of one (1) year to sell the property, with maintenance and security measures to be taken in the interim. Title 17 M.R.S. §2851 was discussed relative to authority/enforcement of the proposed resolutions. Chief Jack Peck was present and added that the Police Department has removed people from the property who were caught living in it.

Stephan Bunker moved to direct CEO Steve Kaiser to negotiate with the owner's representative an Agreement as it relates to the boarding up of all ground floor windows and doors with windows, to repair any hole(s) in the roof for weather resistance, for proper seasonal maintenance of the lawn and grounds, and to provide a specific timeframe for marketing of the property; Michael Fogg seconded.

Attorney Torregrossa asked for and received clarification from the Selectmen of the requirement that all of the ground floor windows and doors with windows are to be boarded over.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

ITEM 3: To Hear an Update from George Allen, VP and General Manager of Beeline Cable Company

Richard Davis introduced George Allen, who reviewed the upcoming renewal process of the Town's existing franchise agreement. Mr. Allen also reviewed BeeLine's accomplishments and challenges, ie. the increase of line extensions, the low density of cable subscribers, as well as the drop in video subscribers, added channels being forced on them by the programmers and broadcasters, which result in increased license fees and an increase in the rates. Mr. Allen also explained BeeLine Cable's $10,000 donation to Channel 11 to help defray the costs relating to the updating of its HD capabilities. Mr. Allen commended J.P. Fortier on his work for Channel 11. Affordable band width relative to high speed internet access, and preventive maintenance were also explained. The Selectmen discussed Mr. Davis' suggestion to hold a joint public meeting with Wilton prior to the renewal period to invite public input as to the perceptions of the performance of the company and what the public would like to see for additional services. He feels such input will give them guidance in the re-negotiation of the franchise agreement in 2016.

ITEM 4: To Discuss an Offer from Wal-Mart to Improve the Butterfield Cemetery on Red Schoolhouse Road (Greg Patterson, Manager)

Wal-Mart Manager Greg Patterson and Charles Bennett, who is co-chairman of the Maine Veterans Association, were present and explained this restoration proposal. Mr. Patterson stated that, if approved, they would like to start this project soon after spring thaw, with the completion date to be in May so that a ceremony may take place on Memorial Day. Mr. Patterson handed out a packet of photos of the cemetery, as well as aerial photos and a newspaper article about it by Ann Bryant of the Lewiston Sun Journal. Mr. Bennett explained what the Veterans' Association will be providing for the unmarked veteran plots found, as well as the veteran headstones that are missing and/or damaged. Richard Davis clarified that the Maine Old Cemeteries Association calls this cemetery the Red Schoolhouse Cemetery. He provided a list of who is buried there that he found on its website, although he suspects that it is not a complete list. Mr. Patterson stated that they are not requesting any funding from the Town, as restoration will be accomplished strictly through donations. The Selectmen requested a list of all donated services once the project starts and finishes.

Stephan Bunker moved to authorize Wal-Mart to move forward with its generous offer of an improvement project of the Red Schoolhouse Cemetery with a more detailed scope of work to be provided prior to commencement; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

ITEM 5: To Authorize the Police Department to accept a Byrne/JAG Grant to Replace the Department's Tasers®

Richard Davis reviewed the program narrative and budget worksheet. Chief Jack Peck explained that the department's existing Tasers® were purchased in 2006 and will soon reach their expected life span of 5-8 years according to the manufacturer. Officers will still be able to carry the existing Tasers® but they will be obsolete as of January 1, 2015 and therefore unmaintainable. Chief Peck also explained the opportunity the department has to use this grant to eventually replace the new Tasers®, as the new plan will automatically replace the Tasers® once in five years.

Stephan Bunker moved to authorize the Police Department to accept a Byrne/JAG Grant to replace the department's Tasers®; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

ITEM 6: To Accept an Anonymous Donation of $1,000.00 to the Parks and Recreation Department

Richard Davis explained that a check for $1,000.00 has been received from a Foundation which requests that it remain anonymous. The only stipulation on the donation is that the Parks and Recreation Department be allowed to determine the best use of the funds. Mr. Davis stated that he will ask the Director to provide the Selectmen with a report on how he intends to use the funds.

Stephan Bunker moved to gratefully accept an anonymous donation of $1,000.00 to the Parks and Recreation Department, with the Town Manager to send a letter of appreciation to the donor, and request that the Parks and Recreation Director come before the Board with suggestions as to how the donation will be used; Michael Fogg seconded.

Andrew Buckland asked for clarification of who is responsible for the maintenance of parks, which Richard Davis provided.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

ITEM 7: To Schedule a Dedication Ceremony for Bjorn Park

Richard Davis reported that Mr. Bjorn will be available on Saturday, December 6th at 10:00 A.M. That happens to be Chester Greenwood Day, but is before the activities for that event begin. Mr. Davis stated that he has prepared remarks to deliver at the ceremony, and a letter of appreciation from the Board, which he read and the Selectmen signed.

ITEM 7: To Schedule a Dedication Ceremony for Bjorn Park (Cont.)

Stephan Bunker moved to approve the recommended date and time; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

ITEM 8: To Approve the Minutes of November 18, 2014

Item 8 was tabled as the minutes were not yet available.

ITEM 9: To Discuss Other Business

A) Richard Davis and each of the Selectmen wished all a Happy Thanksgiving.

B) Stephan Bunker noted for the record and public the monthly Fire Rescue Department activity report.

ITEM 10: To Hold an Executive Session Pursuant to 1 M.R.S. § 405.6.A to Conduct the Manager's Annual Performance Evaluation

Stephan Bunker moved to go into Executive Session at 7:44 P.M.; Michael Fogg seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

The Selectmen came out of Executive Session at 10:10 P.M.

No action was taken.

Andrew Buckland moved to adjourn; Stephan Bunker seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 (Ryan Morgan) MOTION CARRIED

Minutes respectfully submitted by Linda H. Grant.

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Stephan M. Bunker – Secretary