FARMINGTON BOARD OF SELECTMEN

Tuesday, March 22, 2016

Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Andrew Buckland, Matthew Smith and Michael Fogg. Stephan Bunker was unable to attend. Town Manager Richard Davis, Town Secretary Linda Grant, Sewer Superintendent Steve Millett, Sewer Clerk Mavis Gensel, Planning Board members Lloyd Smith, Tom Eastler and Clayton King, Channel 11 and members of the press were also in attendance.

ITEM 1: Pledge of Allegiance to the Flag

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

ITEM 2: To Review and Approve the Proposed 2016 Sewer Department Budget

Richard Davis reviewed the spreadsheet and breakdown of the proposed 2016 Sewer Department budget in the amount of \$973,846, which is a decrease from 2015 of \$5,038 or -0.51%. Mr. Davis pointed out that the rates remain the same. Sewer Superintendent Steve Millett, with the assistance of Sewer Clerk Mavis Gensel, further reviewed the proposed 2016 Sewer budget. Highlights included: increase in the Facilities/Lab (1060) and Professional Services (3040) line items due to additional required testing for licensing, and the completion of the GIS mapping; discussion regarding the Wilton Road paving project from Franklin Memorial Hospital to Center Bridge, including the replacement of the existing cast iron manhole covers with hinged ductile iron covers; increase in the Legal/ Advertising (3010) line item due to the need to advertise a position vacancy because Terry Norton is retiring, as well as an increase in lien costs; possible reduction by half of the Building/Housekeeping (1030) line item.

Andrew Buckland moved to reduce the Building/Housekeeping (1030) line item to \$450; Matthew Smith seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

Review of the budget continued, including how the Motor Fuel (1035) line item is calculated, and the one-time Team Viewer software fee for the SCADA system computer in the Equipment Rental (2030) line item.

Michael Fogg moved to approve the proposed 2016 Sewer Department budget in the amount of \$973,396, which reflects the \$450 reduction in the Building/Housekeeping (1030) line item; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

ITEM 3: To Approve the First Quarter 2016 Sewer Commitment

Richard Davis reported that the rates remained the same as the last four quarters of 2015: Residential/Rental and Commercial Rate = \$7.285 / 100 cubic feet Residential/Rental and Commercial Minimum = \$36.43 / 500 cubic feet

Michael Fogg moved and Matthew Smith seconded, as Sewer Commissioners, to approve the first quarter 2016 Sewer Commitment.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

The Selectmen, acting as Sewer Commissioners, signed the Commitment.

ITEM 4: To Abate the 2014 and 2015 Property taxes on Map/Lot U15-058-004, now Assessed to Town of Farmington as Party in Possession

Richard Davis explained that this item pertains to the 99-year leased parking lot on Front Street owned by John Moore, said lease stating that the property will be exempt from taxation, even though it is taxable property. Mr. Davis reviewed the manner in which the taxes have been taken care of with the owner prior to Mr. Moore, and the research that has been done to try to incorporate a different way of exempting this property. The research resulted in the property being coded to the Town as "party in possession". He stated that once the 2014 and 2015 taxes in the amount of \$712.37 are abated the property will be exempted as per the terms of the 99-year lease.

Matthew Smith moved to abate the 2014 and 2015 property taxes on Map/Lot U15-058-004, now assessed to the Town of Farmington as Party in Possession; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

ITEM 5: To Approve an Agreement to Issue a Construction Overlimit Permit to the Contractor for Maine DOT Project Numbers 018986.00 and NHP-2035(900)

Richard Davis explained that this is similar to the Agreement approved by the Selectmen at the last meeting and is for the same or related projects that are taking place in the area this coming summer. It has the same terms and conditions.

To Approve an Agreement to Issue a Construction Overlimit Permit to the Contractor for Maine DOT Project Numbers 018986.00 and NHP-2035(900) (Cont.)

Matthew Smith moved to approve an Agreement to issue a construction Overlimit permit to the contractor for MaineDOT Project Numbers 018986.00 and NHP-2035(900); Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

The Selectmen signed the Agreement.

ITEM 6: To Approve the Draft Supplement to the Reny's Way Agreement

Richard Davis explained that this Item pertains to Article 32 on the upcoming Town Meeting Warrant, which is a <u>Supplement to Pedestrian Easement Use, Improvement, Repair and Maintenance Deed and Agreement</u>. Mr. Davis stated that all parties except Reny's have signed off because of Reny's insurance company's concern regarding liability for pedestrians. Mr. Davis explained the concerns with falling snow or ice from the roof, and the proposed use of Downtown TIF funds to construct a roof structure to mitigate that risk. He further explained that the Supplement provides assurances that the Town will make no special attempts or give any encouragement to use of the walkway until some sort of structure can be erected, thereby helping mitigate Reny's liability. He pointed out that signing of the Agreement by all parties will clarify use of the walkway.

Andrew Buckland moved to approve the draft Supplement to the Reny's Way Agreement; Matthew Smith seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

The Selectmen signed the Supplement.

ITEM 7: To Hear an Update on 112 Church Street

Richard Davis explained that he is waiting for word from the contractor as to when the asbestos abatement will be scheduled. The contractor has indicated that once started, the abatement will take approximately one week to complete. Mr. Davis reported that his concern that there may be an oil tank and resulting residue still on the property was eliminated by the Public Works crew this week. There were in fact signs that there had been an oil tank and that it had been removed correctly. He also reported that there is no

ITEM 7: To Hear an Update on 112 Church Street (Cont.)

definitive location of the northeast property line toward William Marceau's property so a Landowner Agreement through Acme Surveying will be necessary, which draft he is in hopes to have available for the next Selectmen's meeting. Mr. Davis discussed the recommendation he was given that the building demolition and construction of the parking lot be accomplished by the same contractor. He also reported that he has sold approximately \$2,000 worth of items out of the property. There was a brief discussion regarding the feasibility of taking possession of the parking lot end of Cony Street, thereby making it a dead end street.

ITEM 8: To Discuss a Grant-funded Feasibility Study regarding the Walton's Mill Dam

Richard Davis reviewed a letter from Julia Crocker, Endangered Species Coordinator of the United State Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) received March 21, 2016 by Chairman Joshua Bell in which concerns of the dam's effect on the upstream migration of the Atlantic salmon were expressed. Mr. Davis stated that the letter implies that the Town may be required to either install a fish ladder or remove the dam. Since the Town may not have a choice, Mr. Davis proposed that he send a letter of support asking to be a part of the grant funds for a feasibility study that is being submitted on April 1st. Mr. Davis pointed out that the letter sent by the NOAA indicates that the Town is under no obligation to do anything at this time, which point will be included in the letter of support. Joshua Bell reviewed his recent meeting with NOAA and Atlantic Salmon Federation representatives. Resident and Planning Board member Tom generated a discussion regarding the possibility of organizing a Feasibility Committee to discuss the steps in constructing a more cost effective fish way than what is typically proposed by the NOAA, as well as the possibility of labor being provided by the Mt. Blue High School forestry and carpentry classes.

ITEM 9: To Consider the Application of Michael Otley to Serve on the Planning Board

Richard Davis stated that Mr. Otley has served on several Boards and Committees in past years and this application is a repeat of his original application submitted on November 24, 2015. Michael Otley was present to answer any questions the Selectmen may have. Resident and Planning Board member Tom Eastler urged the Selectmen to appoint Mr. Otley as an alternate to the Planning Board in order for him to become more acquainted with the dealings of this Board. The Selectmen discussed the issues surrounding their denial of his application back in November. Planning Board Chairman Clayton King also spoke, pointing out that the alternate vacancy that Mr. Otley is applying for will expire on June 30, 2016, at which time he will need to re-apply and the Selectmen will review Mr. Otley's membership at that time.

ITEM 9: To Consider the Application of Michael Otley to Serve on the Planning Board (Cont.)

Michael Fogg moved to appoint Michael Otley to serve on the Planning Board as an alternate, filling a 2016 one year alternate vacancy; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

Richard Davis reminded Mr. Otley that he will need to see Town Clerk Leanne Dickey to be sworn in before the next Planning Board meeting.

ITEM 10: To Approve two (2) Cemetery lot Conveyances

Richard Davis reviewed two (2) Cemetery Lot Conveyances in Fairview Cemetery, one being for Frank and Joan Haley, and another for Margaret Pylican.

Matthew Smith moved to approve a Cemetery Lot Conveyance for Frank and Joan Haley, and another for Margaret Pylican; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

The Selectmen signed the two Conveyances.

ITEM 11: To Approve the Minutes of March 8, 2016

Matthew Smith moved to approve the minutes of March 8, 2016; Michael Fogg seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

ITEM 12: To Discuss Other Business

A) Richard Davis gave an update on the Front Street drainage project, stating that he feels the Town is very close to getting the Federal permit for this project. He explained that the Town has been asked to redesign the outfall slightly and create a settling pond in order to better accommodate the prime salmon habitat, which happens to be at the current design location of the outfall. Mr. Davis handed out copies of the current and proposed designs and explained the relocation proposal. He also pointed out that the easement with the University of Maine at Farmington (UMF) may have to be revised, but he will know more after his meeting with

ITEM 12: To Discuss Other Business (Cont.)

- A) (Cont.) Laurie Gardner and Jeff McKay at the field on Thursday, March 24th at 11a.m. He also pointed out that there is no contract with E.L. Vining & Son yet, only a Letter of Intent, so any contract will have to incorporate the amendment. Mr. Davis stated that all should go smoothly once this is sorted through. He reminded the Selectmen that the window of opportunity for completing any of the work to take place in the water is July 15th to September 30th.
- **B**) Richard Davis reported that there will be a Regional School District budget informational meeting at the Community Center on Wednesday, April 6th at 6:00 P.M. to review the preliminary school budget.
- C) Michael Fogg generated a discussion regarding what the Selectmen will be doing to assist the Fire Rescue Department with an alternate plan if the proposed budget does not pass. The Selectmen discussed this issue, with Joshua Bell stating that former Selectman Ryan Morgan has offered to go with him to the Selectmen's meetings of each neighboring town to solicit help with solving the problem. Michael Fogg and Matthew Smith both offered to go to the meetings as well. Mr. Davis reminded the Selectmen that if three or more of them attend a meeting the press and public need to be notified of the public/joint meeting.
- **D)** Richard Davis reminded those present and the listening audience of the annual Town Meeting on Monday, March 28th at 7:00 P.M. at the Community Center.

There being no further business to come before the Board, Matthew Smith moved to adjourn at 8:04 P.M.; Andrew Buckland seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Stephan Bunker)

Minutes respectfully submitted by Linda H. Grant.	

Andrew R. Buckland - Secretary