

AGENDA
FARMINGTON SELECT BOARD
Tuesday, May 23, 2023
6:30 P.M.

*****The conduct of the meeting will include remote access by telephonic, video, and electronic means. The public may attend in person or by viewing the live stream at <http://mtbluetv.org/program-live-stream-farmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> or by calling 578-7395 EXT 300**

The Town of Farmington is committed to providing every resident, taxpayer, and visitor full access to all municipal meetings and services. Please forward requests for accommodations to the Town Manager at 778-6538, TDD 778-5873.

- ITEM 1: Pledge of Allegiance to the Flag**
- ITEM 2: To review Memo from Addressing Officer, Captain Terry Bell regarding New Road Name request of Jon Bubier**
- ITEM 3: To review Memo regarding Community Resilience Grant regarding heat pumps in the Community Center and approve expenditure of upfront costs for same**
- ITEM 4: To review and sign Town of Farmington District Budget Validation Referendum Warrant and Notice of Election**
- ITEM 5: To hold a Public Hearing and vote on the following new and renewal applications for Innkeeper and Lunch Wagon Permits**
- **Mount Blue Motel – owned and operated by Rick Collins; located at 454 Wilton Road, located at 593 Wilton Road (renewal)**
 - **Mount Blue Motel DBA Colonial Valley Motel – owned and operated by Rick Collins; located at 593 Wilton Road (renewal)**
 - **Sandy River Dairy – owned and operated by Eric Johnson; located at 560 Farmington Falls Road (renewal)**
 - **The Ugly Dumpling - owned and operated by Lou Sarofeen; located at 430 Farmington Falls Road (renewal)**
 - **The Outpost - owned and operated by Brian Bates; located at 495 Wilton Road (renewal)**
 - **The White Fox, LLC – owned and operated by Nico Regas (renewal)**
 - **The Frost Paw – owned and operated by Mary Hastings (renewal)**
 - **Aces Hot Spot – owned and operated by Michael McNamara; located at 660 Wilton Road (new)**
- ITEM 6: To review and sign Municipal Quitclaim Deed regarding 998 Farmington Falls Road**
- ITEM 7: To reappoint Steve Kaiser as Code Enforcement Officer and Local Health Officer, and Andrew Marble as Local Plumbing Inspector**
- ITEM 8: To review and sign MDOT over limit permit for the Russell Mills Bridge Replacement**
- ITEM 9: To review Application for Renewal of On-Premises License for Elks Lodge #2430**
- ITEM 10: To Approve the Minutes of 05/09/23**
- ITEM 11: To Discuss Other Business**

Memo

To: Board of Selectmen

CC: Cornell Knight, Interim Town Manager

From: Captain Terry Bell, Addressing Officer

Date: May 23, 2023

Subject: New Road Name

Jon Bubier requested the road name Gantley Drive for the property he is currently developing located on Whittier Road Tax Map R02 Lot 14-A & C.

Memo

To: Select Board Members

From: Cindy Gelinas, Planning Assistant

Date: 05/23/23

Subject: Community Resilience Grant

The Town of Farmington received its award confirmation letter for the Community Resilience grant to install heat pumps in the Community Center and the Field House at Hippach Field. CC HVAC, LLC was hired for the installation of the heat pumps and Adrenaline Electric was hired for the electrical installation and the work will be completed in 2023. The heat pumps qualify for Efficiency Maine rebates. The total project cost is \$25,320, and requires the Town to pay the upfront cost for the project with full reimbursement.

Memo

To: Select Board Members

From: Cindy Gelinas, Planning Assistant

Date: 03/24/23

Subject: Community Resilience Grant

The Town of Farmington has applied for and been accepted into the Community Resilience Partnership. On November 30, 2022, we received a Conditional Award Notification Letter for the Community Resilience Partnership Community Action Grant for \$50,000 to go towards an HVAC system for the Community Center building. We have since found out that the HVAC system planned for the roof did not meet Efficiency Maine requirements.

Parks and Recreation Director Matt Foster and I have been in communication with Brian Ambrette, who administers the program, to determine what other options were available. On Tuesday, March 21, 2023, I spoke with Mr. Ambrette about installing heat pumps in the Field House at Hippach Field and/or Community Center weight room and offices. Mr. Ambrette said we would need to amend the application, get quotes for the heat pumps and installation, contact Efficiency Maine for approval, and submit everything before April 28, 2023.

This project requires the Town to pay the upfront cost for the project with full reimbursement of up to \$50,000 once all invoices are received and approved by the Community Resilience Partnership.

ITEM 5: To get an update on the Community Resilience Grant

Parks and Recreation Director Matt Foster said we have plans to install an HVAC system on the Community Center roof once it has been renovated, and have been conditionally approved for the \$50,000 grant, but the system we had budgeted for must be electric to comply with Efficiency Maine standards. He said we contacted the administrator for the program Brian Ambrette who said we can amend the application to install heat pumps at the Hippach Field House and weight room and offices at the Community Center. Matt Foster said we have contacted heat pump installers for quotes, and we will amend the application to submit it before the May 1st deadline. Discussion followed regarding the HVAC system.

ITEM 6: *To Review an expenditure of up to \$25,933.60 for the construction and installation of an Electric Vehicle Charging Station in the northeast corner of the Municipal Parking lot at 194 Main Street

Matthew Smith said he asked that this be put back on the agenda tonight because there was a contract signed and if we are not going forward with the project that we need to null and void the contract with no penalty. Mrs. Gelinas said she contacted Bob Spatz with Carbon Day and he had put a hold on the shipment, and she will confirm with him tomorrow.

Joshua Bell moved to null and void the contract; Byron Staples seconded.

Discussion followed regarding other grants, Downtown TIFF funds, the additional quotes, and the Downtown TIFF Committee meeting held in January.

Joshua Bell and Byron Staples rescinded both the motion and second.

Stephan Bunker moved to table this until the timely meeting of the Downtown TIFF Committee to review the project; Matthew Smith seconded the motion.

VOTE AFFIRMATIVE 5

MOTION CARRIED

ITEM 7: *To appoint Michael Deschenes and Peter Tracy to the Appeals Board, and Kyle Terrio to the Conservation Commission

Dennis O'Neil moved to appoint Michael Deschenes and Peter Tracy to the Appeals Board, and Kyle Terrio to the Conservation Commission; Joshua Bell seconded the motion.

VOTE AFFIRMATIVE 5

MOTION CARRIED

ITEM 8: *To Approve the Amended Resolution authorizing the transfer of the Bee Line, Inc. Franchise to Spectrum Northeast, LLC

Cameron Ferrante from Preti Flaherty representing Beeline Cable said this is a corrected resolution as shown in the additional paragraph 4., stating it is selling substantially all of its assets to Charter Spectrum except for the Madison business office and will not provide technical and in-person support to the operation of the public access channel, but the town would still receive the financial contributions to support the channel but not the studio and equipment. Discussion followed regarding the current agreement, contributions, contacting Mt. Blue Access TV, and the Madison office.

Matthew Smith moved to Approve the Amended Resolution authorizing the transfer of the Bee Line, Inc. Franchise to Spectrum Northeast, LLC; Byron St seconded the motion.

VOTE AFFIRMATIVE 3

**OPPOSED 2
(Stephan Bunker and Dennis O'Neil)**

MOTION CARRIED

AGENDA - REVISED
FARMINGTON BOARD OF SELECTMEN
Tuesday, September 13, 2022
6:30 P.M.

*****The conduct of the meeting will include remote access by telephonic, video, and electronic means. The public may attend in person or by viewing the live stream at <http://mtbluetv.org/program-live-stream-farmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> or by calling 778-5874*****

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- ITEM 1: Pledge of Allegiance to the Flag**
- ITEM 2: *To Hold a Public Hearing for the purpose of soliciting comments and reviewing the self-assessment results for the Community Resilience Partnership grant application**
- ITEM 3: To Review the 2022 Tax Rate Scenarios**
- ITEM 4: *To consider an appropriation of up to \$2,300 from the Municipal Building Reserve Account SX-7975 to replace the Town Clerk's office door**
- ITEM 5: *To apply for and accept Edward S. Byrne Justice Assistance Grant (Byrne JAG) grant in an amount up to \$4000 to purchase Body Armor Plates (stand-alone Rifle Armor) and Carriers.**
- ITEM 6: *To Approve a Resolution for Membership and Appointment of Voting Delegate Representative and Alternate for the Maine Service Centers Coalition for 2022**
- ITEM 7: 2023 Town budget process overview**
- ITEM 8: *To Approve the Minutes of August 23, 2022**
- ITEM 9: To Discuss Other Business**

Farmington Board of Selectmen
Tuesday, September 13, 2022
6:30 p.m.

The conduct of the meeting included remote access by telephonic, video, and electronic means. The public could attend in person or by viewing the live stream at <http://mtbluetv.org/program-livestream-farmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> or calling 778-5874.

Board members present: Matthew Smith, Scott Landry, Stephan Bunker, Joshua Bell, and Byron Staples. Also Present: Town Manager Christian Waller, S. Clyde Ross, Lloyd Smith, Dennis O'Neil, Police Chief Kenneth Charles, Parks and Recreation Director Matthew Foster, Assessor John O'Donnell, Executive Assistant Nancy Martin, Planning Assistant Cindy Gelinis, Karen Waller, MBTV Camera Operator Andre Cormier, and Daily Bulldog reporter Annie Twitchell.

ITEM 2: To Hold a Public Hearing for the purpose of soliciting comments and reviewing the self-assessment results for the Community Resilience Partnership grant application

Chairman Matthew Smith opened the Public Hearing at 6:32 p.m.

Town Manager Christian Waller stated we have an opportunity to receive a \$50,000 in funds to go toward the HVAC System once the new roof is done at the Community Center.

There being no comments or questions from the public, Chairman Smith closed the Public Hearing at 6:34 p.m.

Joshua Bell asked if the goal is the \$50,000 would go towards the HVAC.

Mr. Waller said yes once the roof is strong enough to hold it.

Mr. Bell asked if this project qualifies for the grant.

Mr. Waller asked if there were two different options for the grant.

Mrs. Gelinis stated that's what we put in for, and the grant offered a huge list of options, but we thought this was the best fit.

Mr. Waller said this grant will tie into what we are doing with the ARPA money.

Mr. Smith asked if there was a motion to accept the Community Partnership Grant application as written.

Scott Landry made the motion to accept it as written.

Byron Staples seconded the motion.

VOTE: 5 Affirmed
Motion carried.

**WARRANT AND NOTICE OF ELECTION
CALLING MAINE SCHOOL ADMINISTRATIVE DISTRICT NO. 9
BUDGET VALIDATION REFERENDUM
(20-A M.R.S. § 1486)**

TO: Richard E. Joseph, a resident of Maine School Administrative District No. 9 (the "District") composed of the Towns of Chesterville, Farmington, Industry, New Sharon, New Vineyard, Starks, Temple, Vienna, Weld, and Wilton, State of Maine.

In the name of the State of Maine, you are hereby ordered to serve upon the municipal clerks of each of the municipalities within the District, namely, the Towns of Chesterville, Farmington, Industry, New Sharon, New Vineyard, Starks, Temple, Vienna, Weld, and Wilton, an attested copy of this warrant and notice of election. Service shall be in hand within three (3) days of the date of this warrant and notice of election. The municipal clerks of the above municipalities shall immediately notify the respective Municipal Officers. The Municipal Officers shall meet forthwith and countersign this warrant and notice of election. The Municipal Officers shall provide below for the respective municipal clerks to post or have posted this warrant and notice of election.

**TOWN OF FARMINGTON
DISTRICT BUDGET VALIDATION REFERENDUM
WARRANT AND NOTICE OF ELECTION**

Franklin County, ss.

State of Maine

TO: Cyld Clark, Resident of Farmington: You are hereby required in the name of the State of Maine to notify the voters of this municipality of the election described in this warrant and notice of election.

TO THE VOTERS OF FARMINGTON: You are hereby notified that a District budget validation referendum election will be held at the Farmington Community Center, 127 Middle Street in the Town of Farmington on Tuesday, June 13, 2023 for the purpose of determining the following articles:

Article 1A: To elect a moderator to preside at said meeting.

Article 1: Do you favor approving the Maine School Administrative District No. 9 budget for the upcoming school year that was adopted at the latest District budget meeting?

The voting on Article 1 shall be by secret ballot referendum. The polls will be opened immediately after election of the moderator following commencement of the meeting at 7:00 A.M. and closed at 8:00 P.M.

The Registrar of Voters shall hold office hours while the polls are open to correct any error in or change a name or address on the voting list; to accept the registration of any person eligible to vote and to accept new enrollments.

A person who is not registered as a voter may not vote in any election.

Given under our hand this day, May 2, 2023 at Farmington, Maine.

Carol Coles
Carol Coles

Alexander Creznic
Alexander Creznic

Gwen Doak
Gwen Doak

Irv Faunce
Irv Faunce

Charlie Hinds
Charlie Hinds

Greg Kimber
Greg Kimber

Gloria McGraw
Gloria McGraw

Joshua Robbins
Joshua Robbins

Debbie Smit
Debbie Smit

Janice David
Janice David

Scott Erb
Scott Erb

Kyle Fletcher
Kyle Fletcher

Judith Kaut
Judith Kaut

J. Wayne Kinney
J. Wayne Kinney

Richard Ruhlio
Richard Ruhlio

Dorothy (Dee) Robinson
Dorothy (Dee) Robinson

A majority of the School Board of Regional School Unit No. 9

A true copy of the Warrant and Notice of Election, attest:

Richard E. Joseph
Richard E. Joseph
Resident of
Maine School Administrative District No. 9

Countersigned this _____ day of _____, 2023 at Farmington, Maine.

A majority of the Municipal Officers of Farmington, Maine

A true copy of the Warrant and Notice of Election, attest:

Diane Dunham
Diane Dunham, Municipal Clerk
Farmington, Maine

RETURN

Franklin County, ss.

State of Maine

TO: The School Board of Maine School Administrative District No. 9
May 9th, 2023

Pursuant to the within warrant and notice of election, directed to me, I have served in hand upon the municipal clerk of Farmington, an attested copy of this warrant and notice of election, directing the Municipal Officers of said municipality to call a Maine School Administrative District No. 9 budget validation referendum at said time and place and for the purposes therein stated.



Richard W. Joseph
Resident of
Maine School Administrative District No. 9

RETURN

Franklin County, ss.

State of Maine

TO: The Municipal Officers of the Town of Farmington

I certify that I have notified the voters of the Town of Farmington of the time and place of the Maine School Administrative District No. 9 budget validation referendum by posting an attested copy of the within warrant and notice of election as follows:

<u>DATE</u>	<u>TIME</u>	<u>LOCATION OF POSTING</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

being public and conspicuous places in said municipality and being at least seven days next prior to election day.

Dated at Farmington, Maine: _____, 2023

Cylde Clark, Resident
Farmington, Maine

PUBLIC HEARING

**There will be a Public Hearing on May 23, 2023,
at 6:45pm at the Farmington Town Office for the
Following Lunch Wagons and Inn Keepers
Renewal Licenses:**

Mount Blue Motel & Colonial Valley Motel owned
by Ricky Collins

Sandy River Farm Market owned by Erik & Trudy Johnson

The Ugly Dumpling owned and operated by Lou Sarafeen

The Out Post owned and operated by Brian Bates

The Frosty Paw owned and operated by Mary Hastings

White Fox Tavern owned and operated by Nikolaos Regas

Aces Hot Spot owned and operated by Michael McNamara

If you have any questions regarding these licenses, please
contact Town Clerk Diane Dunham at 778-6539. If you are
physically unable to access any of the Town programs or
services, please contact Cindy Gelinas at 778-5874 so that
accommodations can be made.

MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

THE INHABITANTS OF THE MUNICIPALITY OF FARMINGTON, a body corporate, located at 153 Farmington Falls Road, Farmington, Maine 04938, for consideration paid release to Brenda L Simoneau of 998 Farmington Falls Rd, Farmington, ME 04938, any interest the grantor herein may have, by virtue of any late discharged or undischarged recorded liens for real estate taxes, on a certain parcel of land with buildings thereon, if any, situated at 998 Farmington Falls Road, Farmington, Maine Tax Map R01, Lot 023-C, as further described in the deed recorded in the Franklin County Registry of Deeds in Book 3404, Page 335.

The sole purpose of this deed is to release such interest as the Town of Farmington may have to the above-described premises on account of any late discharges or undischarged recorded liens for real estate taxes to the extent applicable, the following: one at Book 4366, Page 21, at the Franklin Registry of Deeds.

The said Inhabitants of the Municipality of Farmington have caused this instrument to be signed in its corporate name its Selectmen duly authorized, this 17th day of May 2023.

INHABITANTS OF THE MUNICIPALITY OF FARMINGTON

Witness (es):

By: Its Selectmen

Name: Matthew W. Smith

Name: Stephan M. Bunker

Name: Byron T. Staples

Name: Joshua H. Bell

Name: Dennis O'Neil

State of Maine
Franklin County, ss.

Date: _____

Then personally appeared before me a majority of the Selectmen of the Town of Farmington and acknowledged the foregoing instrument to be their free act and deed and the free act of said Town of Farmington, before me.

Notary Public

Name: Commission Expires

**MUNICIPAL NOTICE OF CODE ENFORCEMENT OFFICER, LOCAL
PLUMBING INSPECTOR, AND LOCAL HEALTH OFFICER
APPOINTMENTS**

This notification is required annually by State Law.

Name of Municipality: FARMINGTON

Mailing Address: 153 FARMINGTON FALLS RD.

CODE ENFORCEMENT OFFICER

Circle one: Initial Appointment Re-Appointment

On-going

NAME: STEVE KAISER Email: ceo@farmington-maine.org

(RE)APPOINTMENT DATE: 5/23/23

Please mark only those areas that the CEO is responsible for.

☒ Shoreland Zoning Ordinance

☒ Land Use and Zoning Ordinances

LOCAL HEALTH OFFICER

Circle one: Initial Appointment Re-Appointment

On-going

NAME: STEVE KAISER Email: ceo@farmington-maine.org

(RE)APPOINTMENT DATE: 5/23/23

LOCAL PLUMBING INSPECTOR

Circle one: Initial Appointment Re-Appointment

On-going

NAME: ANDREW MARBLE Email: maine.inspector@gmail.com

(RE)APPOINTMENT DATE: 5/23/23

ATTEST

The individual(s) named above has been officially appointed and sworn to serve as the official indicated with the enforcement responsibilities inherent to that office:

Attest - Municipal Clerk

Title

Date



STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

Diane Dunham, Clerk
Town of Farmington
153 Farmington Falls Road
Farmington, ME 04938

Subject: Russell Mills Bridge Replacement
Project No: 024903.00
Town of Farmington

Dear Ms. Dunham:

The Maine Department of Transportation will soon solicit quotes for the subject project for construction, and pursuant to 29-A MRSA § 2382 (7) we have established a "Construction Area". A copy of 29-A § 2382 is enclosed for your information. Also included is an agreement, which requires signature by the municipal officers, and additional background documents.

The agreement stipulates that the municipality will issue a permit for a stated period of time to the MDOT contractor for transporting construction equipment (backhoes, bulldozers, etc.) that exceed legal weight limits, over municipal roads. The agreement acknowledges the municipality's right to require a bond from the contractor to "guarantee suitable repair or payment of damages" per 29-A MRSA.

29-A MRSA § 2382 (7) states that "*the suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers*". In other words, municipal officers determine the suitability of repairs on municipal ways and bridges.

The State cannot force municipalities to allow overweight vehicles to travel on posted municipal roads. Municipal postings supersede overweight permits. However, the agreement requires municipalities to make reasonable accommodations for overweight vehicles that are operated by contractors and the MDOT in connection with the construction project.

The specific municipal roads involved are not necessarily known at present, as the contractor's plan of operation won't be known until just prior to the start of work. If the municipality plans to require a bond; the amount of the bond should be determined prior to the start of work. If the project number administratively changes, you will be notified, and the agreement modified accordingly. Please return the completed agreement to my attention. Should you have any questions, please contact me at 624-3410.

Sincerely,

George M.A. Macdougall
Contracts & Specifications Engineer
Bureau of Project Development

Return this AGREEMENT, when completed, to:

Maine Department of Transportation
ATTN.: George Macdougall, Contracts & Specifications Engineer
#16 State House Station, Child Street
Augusta, Maine 04333-0016

Project: 024903.00
Location: Russells Mills Lane/ Abbie Lane

Pursuant to 29-A MRSA § 2382, the undersigned municipal officers of the **Town of Farmington** agree that a construction overlimit permit will be issued to the Contractor for the above-referenced project allowing the contractor to haul non-divisible overlimit loads on municipal ways.

The municipality may require the contractor to obtain a satisfactory bond pursuant to 29-A MRSA § 2388 to cover the cost of any damage that might occur as a result of the overlimit loads. If a bond is required, the exact amount of said bond should be determined prior to the use of any municipal way. The Maine DOT will assist in determining the amount of the bond if requested. A suggested format for a general construction overlimit bond is attached. A suggested format for a construction overlimit permit is also attached. This construction overlimit permit does not supersede rules that restrict the use of public ways, such as posting of public ways, pursuant to 29-A MRSA § 2395.

The maximum speed limit for trucks on any municipal way will be 25 mph (40 km per hour) unless a higher speed limit is specifically agreed upon, in writing, by the Municipal Officers.

TOWN OF FARMINGTON
By the Municipal Officials

SPECIAL PROVISION 105
CONSTRUCTION AREA

A Construction Area located in the **Town of Farmington** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in the town of Farmington, Franklin County on Russells Mills road/ Abbie Lane over temple Stream.
- (b) (Russells Mills road/ Abbie Lane) over Temple Stream station 1+00.00 to station 3+50.00 of the construction plus approaches.

Per 29-A § 2382 (7) MRSA, the MDOT may “*issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

- A. Must be procured from the municipal officers for a construction area within that municipality;*
- B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:*
 - (1) Withholding by the agency contracting the work of final payment under contract; or*
 - (2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.*

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;
- C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and*
- D. For construction areas, carries no fee and does not come within the scope of this section.”*

The Municipal Officers for the **Town of Farmington** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

GENERAL GUIDANCE

CONSTRUCTION OVERLIMIT PERMIT AND BONDING

The Maine Bureau of Motor Vehicles (BMV) establishes requirements and standards for the permitting of non-divisible over dimensional and overweight vehicles and loads (collectively overlimit loads) on state roads. These state motor vehicle permits are available on-line. 29-A MRSA and Secretary of State Administrative Rules Chapters 155-157 apply. Additionally, municipalities and county commissioners may issue overweight permits for travel on municipal and county ways maintained by that municipality or county. These permits are typically single trip permits requiring vehicle registration data, intended route etc.

However, in this case we're dealing with *Construction Permits* involving overlimit loads in support of construction projects. According to 29-A MRSA § 2382 (7), a Construction Permit is a permit *"for a stated period of time that may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation"*. According to 29-A § 2382 MRSA, the construction overlimit permit must be procured from the municipal officers for overweight loads on a municipal way in support of a construction project within that municipality.

By signing the attached agreement, the municipality agrees to issue construction overlimit permits to the MDOT construction contractor.

Frequently Asked Questions:

A. Why sign the document in advance of the actual construction contract?

Response: There are three primary reasons: First, to comply with 29-A § 2382. Second, to ensure that there are no surprises regarding the use of municipal roads by the Maine DOT contractor (to reasonably reduce risk and thus keep the cost of construction down) and third, to ensure the town is aware of its rights to control its own roads, and its rights to require a separate contractor's bond. (This is in addition to the Payment Bond and the Performance Bond the Maine DOT requires of the contractor).

B. Different roads may require different levels of scrutiny. How is a posted road handled?

Response: Despite the general construction overweight permit, the contractor cannot exceed the load limit on a posted municipal road without specific municipal permission. 29-A § 2395 MRSA notes that any ways requiring special protection (such as posted roads) will continue to be protected and overweight permits are superseded by such postings. In such a case the contractor would have to use an alternate route.

C. Is there any reason why the contractor cannot be held to indemnify and hold harmless the Municipality beyond the simple posting of a bond?

Response: The objective of our standard letter is to deal with overweight equipment and trucks on municipal ways during construction of a Maine DOT construction project. The bond merely provides a measure of protection against damage to municipal ways as a direct result of construction activity. Other areas of risk and indemnification are beyond the scope of our letter.

D. Are we required to obtain a bond?

Response: No. In fact, few municipalities have required a construction bond. It is a matter of risk management.

E. If used, what amount should be required on the bond?

Response: Previous MDOT letters used to speak about a maximum bond amount of \$14,000 / mile (\$9,000 / kilometer) of traveled length, however 29-A § 2382 sets no maximum. The amount of the bond (if any bond is required at all) is based on the individual situation. The MDOT will assist in providing a bond amount estimate if so requested.

F. Why the blanket approval?

Response: The blanket approval we seek is the reasonable accommodation by the municipality to allow the Maine DOT contractor to use town ways (if required) to haul overweight construction equipment and trucks. This theoretically gives the municipality and the MDOT time to discuss exceptions to a blanket approval. In general, this avoids unnecessary risks and saves money for all concerned in the long run.

G. Who determines the suitability of repairs?

Response: For municipal ways, the suitability of repairs may be determined by municipal officers. The MDOT will assist.

H. What is a non-divisible load?

Response: Per Chapter 157 (The Administration of Over-Dimension and Overweight Permits) under the Secretary of State administrative rules (See Rule Chapters for the Department of the Secretary of State on line), a non-divisible load is defined as: A load which, if separated into smaller loads or vehicles, would:

- 1) make it unable to perform the function for which it was intended;
- 2) destroy its value or;
- 3) require more than eight work hours to dismantle using appropriate equipment. Sealed oceangoing containers, spent nuclear materials in casks, and government-controlled military vehicles and their loads will be considered non-divisible

I. What is the standard for Overweight trucks and equipment?

Response: Overweight means a weight that exceeds the legal limits established in 29-A MRSA Chapter 21.

J. This is an unorganized township with no county or municipal roads. Why should I respond?

Response: Because of limited staff, we send out a standard letter to cover contingencies and minimize risk to the construction process. From time to time the letter may not have a practical application. In most cases of unorganized territories, the agreement is signed and returned as a matter of routine. This ensures that surprises will not be encountered after the start of construction regarding travel over municipal and county ways.

Additional tips:

False Information - Permit are invalidated by false information. A permit is invalidated by the violation of any condition specified by the terms of the permit or by false information given on the application. On evidence of such violation of falsification, the permittee may be denied additional permits.

Proper Registration - Overload permits do not relieve the registrants of vehicles from their obligations to properly register their vehicles in accordance with Motor Vehicle Laws.

Agent's Power of Attorney - If you do require a contractor's bond, make sure you have a copy of the Surety Agent's power of attorney authorizing the surety agent to sign for the surety. Keep the power of attorney with your duplicate original bond at the municipality. The contractor will also have a duplicate original.

Other bonds - The Maine DOT requires a payment bond and a performance bond of the contractor which is held against unsatisfactory performance on the part of the contractor for all construction projects over \$100,000. (The Miller Act (40 U.S.C. 270a-270f) normally requires performance and payment bonds for any federal aid construction contract exceeding \$100,000. 14 MRSA § 871 provides a similar requirement for state funded construction projects.) These bonds cover the proper performance of the contract and the payment of all employees, suppliers and subcontractors.

SPECIAL PROVISION 105
OVERLIMIT PERMITS

Title 29-A § 2382 MRSA Overlimit Movement Permits.

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation

2. Permit fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

3. County and municipal permits. A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality

4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.

5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.

6. Scope of permit. A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.

8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;

B. Municipal officers, for all other ways and bridges within that city and compact village limits; and

C. The county commissioners, for county roads and bridges located in unorganized territory.

9. Pilot vehicles. The following restrictions apply to pilot vehicles.

A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

9-A. Police escort. A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.

B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.

C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

11. Violation. A person who moves an object over the public way in violation of this section commits a traffic infraction.

Section History:

PL 1993, Ch. 683, §A2 (NEW).

PL 1993, Ch. 683, §B5 (AFF).

PL 1997, Ch. 144, §1,2 (AMD).

PL 1999, Ch. 117, §2 (AMD).

PL 1999, Ch. 125, §1 (AMD).

PL 1999, Ch. 580, §13 (AMD).

PL 2001, Ch. 671, §30 (AMD).

PL 2003, Ch. 166, §13 (AMD).

PL 2003, Ch. 452, §Q73,74 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

MUNICIPAL OVERLIMIT PERMIT FOR CONSTRUCTION

MUNICIPALITY: _____

Phone: 207-_____; fax: 207-_____

APPLICATION FOR OVERLIMIT PERMIT TO MOVE CONSTRUCTION EQUIPMENT AND LOADS IN EXCESS OF LEGAL LIMITS ON MUNICIPAL WAYS

Construction Time Period:

Per 29-A § 2382 (7) MRSA, application is hereby made to the MUNICIPALITY OF _____
for An Overlimit Permit to move construction equipment, material, objects or loads in excess of legal limits over
ways maintained by the MUNICIPALITY in support of construction operations for the following Maine DOT
project

Project Description:

Project Identification Number (PIN):

NAME OF PERMITTEE (Construction Company):

STREET/P.O. BOX:

CITY:

STATE/PROV:

ZIP / POSTAL CODE:

PHONE:

FAX:

This object or load cannot be readily reduced to the legal limits.

Signed by:

(name & title)

Permit is granted. A copy of this signed permit will be provided to the permittee as prove of permit. This permit
will automatically expire at the physical completion of the above construction project. The original permit will be
held on file at the municipality.

Signed:

Municipal Official

MUNICIPAL OVERLIMIT PERMIT FOR CONSTRUCTION

MUNICIPALITY: _____

Phone: 207-_____; fax: 207-_____

APPLICATION FOR OVERLIMIT PERMIT TO MOVE CONSTRUCTION EQUIPMENT AND LOADS IN EXCESS OF LEGAL LIMITS ON MUNICIPAL WAYS

Construction Time Period:

Per 29-A § 2382 (7) MRSA, application is hereby made to the MUNICIPALITY OF _____
for An Overlimit Permit to move construction equipment, material, objects or loads in excess of legal limits over
ways maintained by the MUNICIPALITY in support of construction operations for the following Maine DOT
project

Project Description:

Project Identification Number (PIN):

NAME OF PERMITTEE (Construction Company):

STREET/P.O. BOX:

CITY:

STATE/PROV:

ZIP / POSTAL CODE:

PHONE:

FAX:

This object or load cannot be readily reduced to the legal limits.

Signed by:

(name & title)

Permit is granted. A copy of this signed permit will be provided to the permittee as prove of permit. This permit
will automatically expire at the physical completion of the above construction project. The original permit will be
held on file at the municipality.

Signed:

Municipal Official

BOND # _____

Date: _____

MUNICIPAL CONSTRUCTION BOND

KNOW ALL MEN BY THESE PRESENTS: That (name of construction firm)
_____, **and the Municipality of _____**, as
principal, and _____
, a corporation duly organized under the laws of the State of _____ and having a
usual place of business _____,
as Surety, are held and firmly bound unto the Treasurer of the Municipality of
_____ in the sum of
_____ **and 00/100 Dollars (\$ _____)**
to be paid said Treasurer of the Municipality of _____ or
her/his successors in office, for which payment well and truly to be made, Principal and
Surety bind themselves, their heirs, executors and administrators, successors and assigns,
jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in
the Contract to construct Project Number _____ in the Municipality of
_____ promptly and faithfully performs the Contract,
without damage to the municipal ways, other than normal wear and tear; then this
obligation shall be null and void; otherwise it shall remain in full force and effect.

However, if the Principal designated as Contractor causes damage to any municipal way
beyond normal wear and tear, in the construction of the above project through the use of
legal weight, legal dimension trucks or equipment; or overweight or over-dimension
equipment or trucks (as defined in 29-A MRSA) on the municipal ways, then this bond
may be used to guarantee that the contractor either repairs or pays for the damage caused
by the use of its equipment or trucks. The degree of damage beyond normal wear and
tear will be determined by municipal officials with the assistance of the Maine
Department of Transportation.

The Surety hereby waives notice of any alteration or extension of time made by the Municipality.

Signed and sealed this day of, 20.... .

WITNESS:

SIGNATURES:

CONTRACTOR:

Signature.....

.....

Print Name Legibly

Print Name Legibly

.....

.....

WITNESS:

SIGNATURES SURETY:

Signature.....

Signature.....

Print Name Legibly

Print Name Legibly

NAME OF LOCAL AGENCY:

ADDRESS

TELEPHONE

NAME OF SURETY

SURETY ADDRESS:.....

BOND # _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Section I: Licensee/Applicant(s) Information; Type of License and Status

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

Legal Business Entity Applicant Name (corporation, LLC): B.P.O. Elks Lodge #2430	Business Name (D/B/A):
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 120 School Street, Farmington ME 04938
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address:	Email Address:
Telephone # Fax #: 2077786761	Business Telephone # Fax #:
Federal Tax Identification Number: 01-6047399	Maine Seller Certificate # or Sales Tax #:
Retail Beverage Alcohol Dealers Permit:	Website address:

1. New license or renewal of existing license? ☐ New Expected Start date: _____
 ☒ Renewal Expiration Date: 06/04/2023

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:
 Food: \$ 39.26 Beer, Wine or Spirits: \$ 170.56 Guest Rooms: \$ 0.00

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)
 ☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|--|---|
| <input type="checkbox"/> Restaurant
(Class I, II, III, IV) | <input type="checkbox"/> Class A Restaurant/Lounge
(Class XI) | <input type="checkbox"/> Class A Lounge
(Class X) |
| <input type="checkbox"/> Hotel
(Class I, II, III, IV) | <input type="checkbox"/> Hotel – Food Optional
(Class I-A) | <input type="checkbox"/> Bed & Breakfast
(Class V) |
| <input type="checkbox"/> Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | <input type="checkbox"/> Auxiliary | <input type="checkbox"/> Mobile Cart |
| <input type="checkbox"/> Tavern
(Class IV) | <input checked="" type="checkbox"/> Other: <u>Class I-Clubs With Catering Privileges</u> | |
| <input type="checkbox"/> Qualified Caterer | <input type="checkbox"/> Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

120 School St Farmington ME 04938

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No

7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Aaron Allumbaugh	2/23/1972	San Jose CA
Jo Spielvogel	02/27/1958	Rumford Maine
Residence address on all the above for previous 5 years		
Name	Address:	
Aaron Allumbaugh	190 S Strong Rd, Farmington ME 04938	
Name	Address:	
Jo Spielvogel	85 Pentagon Ln, Strong ME 04983	
Name	Address:	
Name	Address:	

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

Bar area in basement and Bar Area in catering Hall on 2nd Floor

20. What is the distance from the premises to the nearest school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: University of Maine = Farmington

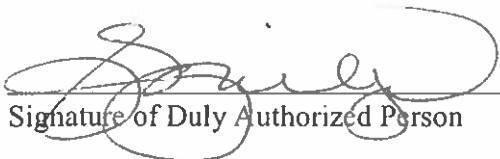
Distance: 0.9 miles

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 5/17/2023


Signature of Duly Authorized Person

Jo L. Spielvogel
Printed Name Duly Authorized Person


Signature of Duly Authorized Person

Aaron Allumbaugh
Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

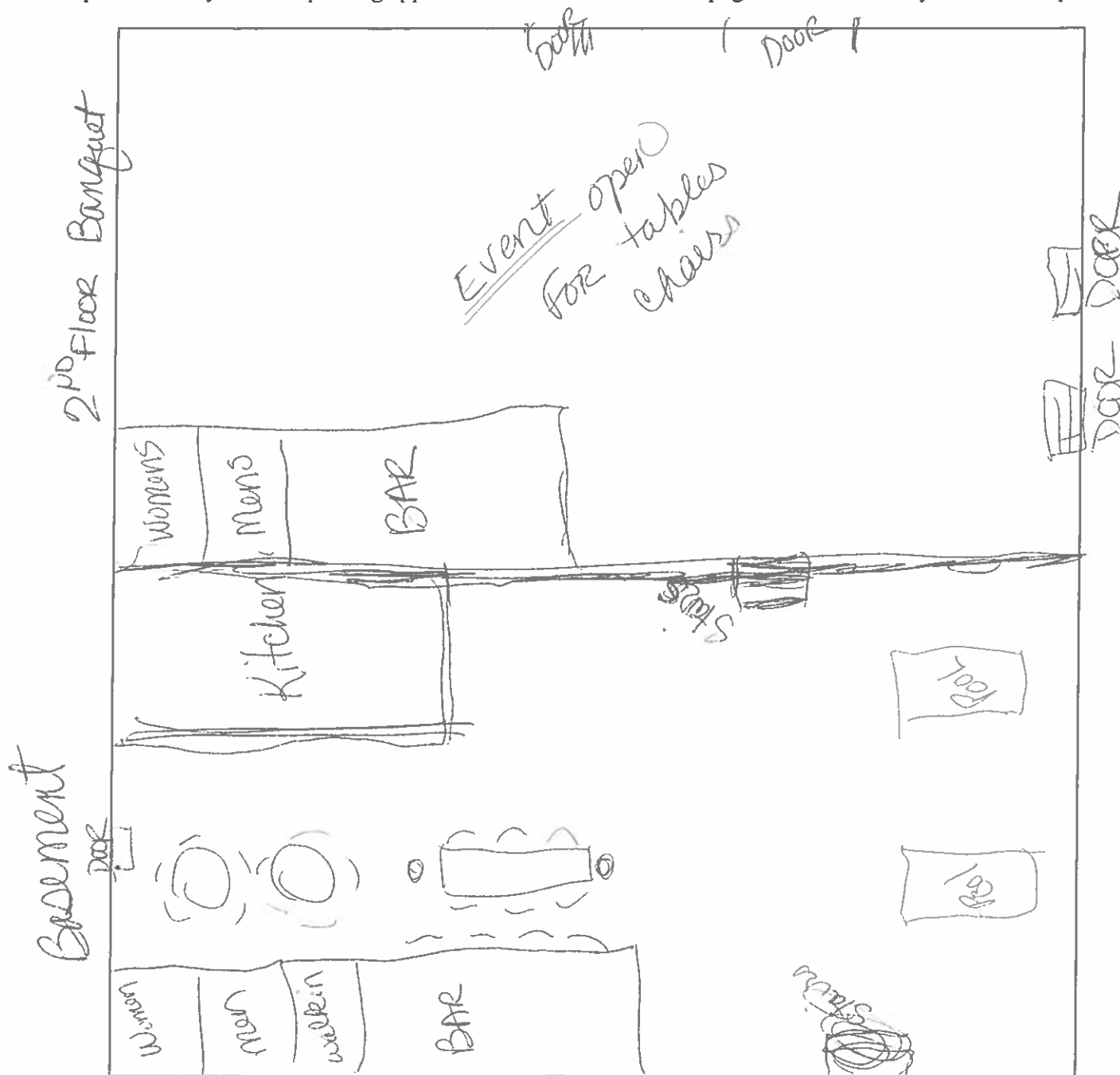
Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
✓ Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

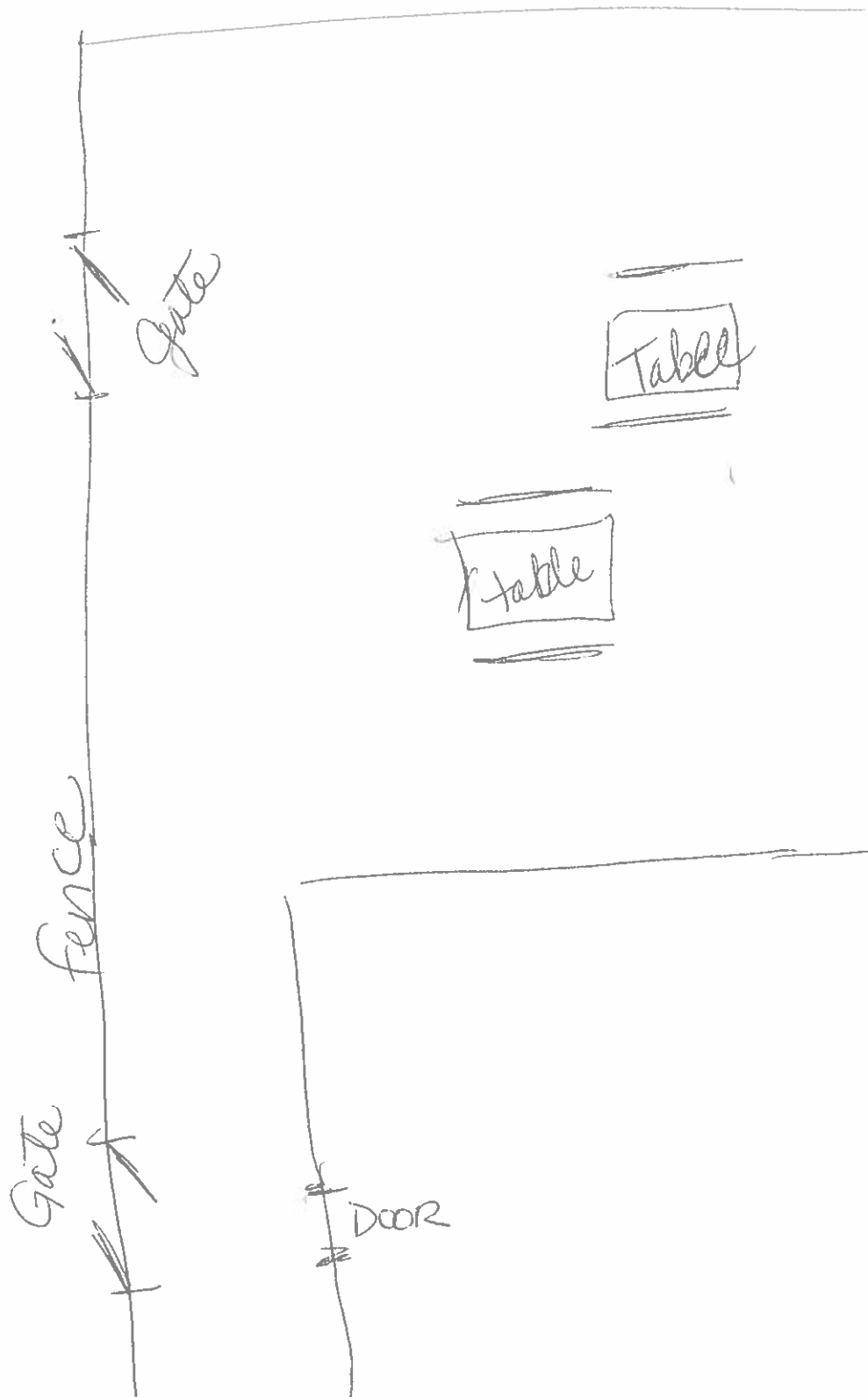
Section VI Premises Floor Plan

In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.



outside area



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

1. Exact legal name: BPOELKS Farmington Lodge #2430
2. Doing Business As, if any: _____
3. Date of filing with Secretary of State: _____ State in which you are formed: ME
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership

(Ownership in non-publicly traded companies must add up to 100%.)

FARMINGTON SELECT BOARD
Tuesday, May 9, 2023

The conduct of the meeting included remote access by telephone, video, and electronic means. The public could attend in person or by viewing the live stream at <http://mtbluetv.org/program-live-streamfarmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> or calling 578-7395.

Chairman Matthew Smith called the meeting to order at 6:31 P.M. with the following members present: Stephan Bunker, Joshua Bell, Byron Staples, and Dennis O'Neil. Kenneth Charles, Police Chief, Tammy Bureau, Treasurer, Leah Giusti, Executive Assistant, MBTV Camera Operator Kai Stone, and members of the press and the public were also present. Interim Town Manager Cornell Knight participated via Zoom. Members of the press and public participated remotely as authorized by PL 209, c.617.

ITEM 1: Pledge of Allegiance to the Flag

Chairman Matthew Smith led those present in the Pledge of Allegiance to the Flag.

ITEM 2: To approve the expenditure of \$34,428 from the Police Department Training Reserve Account, SX-7982 for Police Academy reimbursement to the Town of Jay for the hire of Officer Rex Schweighofer.

Police Chief Kenneth Charles approaches the board. Mentions that the information in the agenda packets includes information about where the expenditure amount comes from. States that they are lucky to have reserve account for this purpose. Last hire we did not receive an invoice. Chief Charles welcomes the Board's questions. The Board has no questions.

Selectman O'Neil moved to approve the expenditure; Selectman Bell seconded.

VOTE	AFFIRMATIVE	5	MOTION CARRIED
-------------	--------------------	----------	-----------------------

ITEM 3: To approve the expenditure of \$52,515.80 from Police Department Vehicle Reserve Account, SX-7983 for an outfitted 2022 Ford Police Interceptor Utility vehicle.

Chief Charles reminds the Board that they went under contract back in November for two vehicles – one is being paid for out of the operating budget, and this second is coming out of vehicle reserve. Chief Charles is requesting approval of this expenditure.

Selectman Bell moved to approve expenditure; Selectman Staples seconded.

VOTE	AFFIRMATIVE	5	MOTION CARRIED
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ITEM 4: To review petition of Jon Bubier to name road

Chairman Smith reads request from Mr. Bubier. Mr. Bubier is not present. Selectman Bunker asks if there has been a sign-off by the 911 addressing officer. Selectman Smith notes that there is no mention of this in the documents received from Mr. Bubier. Selectman Bunker would like to have confirmation from the addressing officer prior to approval.

Selectman Bell moved to pass over the petition until such time as the request is verified by the 911 addressing officer; Selectman O'Neil seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 5: To approve the recommendation of Town Clerk to change the Voter Registration hours prior to and on Election Day, June 13

The Town Clerk recommends that the board change the Voter Registration Hours to register new voters and to change any addresses or name changes prior to and on Election Date, June 13 as follows: June 6 – 10 from 9 AM to 5 PM and at the polling location from 7 AM to 8 PM on June 13. The Clerk also recommends that the Board set the polling hours and location as 7 AM to 8 PM at the Community Center, 127 Middle Street.

Selectman Bell moved to approve the Town Clerk's recommendations; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 6: To update the Board on the Assessor's opening

The Interim Town Manager, Cornell Knight, addresses the board. There have been no applications received to date for the open Assessor position. Mr. Knight reached out to John O'Donnell to see if he would be available to contract, but he is too busy with clients and revaluations. The next step that he recommends is to speak to KRT Appraisal who will be doing the town's revaluation and see if they are willing to add assessing contract work in order to complete commitments by August.

Selectman Bell asks if an RFP can be put out for tax assessing service. Mr. Knight states that we can, but time is a concern. There are a number of assessor openings on MMA website, it is a problem in a number of communities. He can put an RFP together, but as he is concerned about time he would prefer to try KRT first.

Selectman Bunker agrees with Mr. Knight and would like him to approach KRT as an interim step. Selectmen Smith and Staples agree with Selectman Bunker.

Selectman Bunker moved to direct Interim Town Manager to approach KRT Appraisal and/or other similar companies for interim assessor contractual services and report back to the Board; Selectman O'Neil seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: Treasurer to update Board on collection account status

Treasurer Tammy Bureau approaches the Board. There are 24 properties in Farmington that have insured liens. Treasurer recommends that we send a final attempt letter to all of them. We did have a party come in on 160 Court Street, she is speaking with the wife of the deceased owner and is interested in paying taxes off and buying the property.

Selectman Bell asks if we are confident that we have sent all proper notifications. Treasurer states that Mavis Gensel is confident, Treasurer has only been here a short time. It appears that everything has been done properly.

Selectman O'Neil states that some of the owners want properties to be sold, and those should move forward.

Treasurer notes that some towns put property listings in the newspaper. Selectman Bunker states that we have done so in the past and would be open to doing so once the final letters have gone out. These properties are already foreclosed, and the town owns the properties. There is no standard time frame given in the final letter, it is up to the town's discretion. Letters are more of a courtesy. Letters will begin going out by the end of the week.

The Board will review packets provided by the Treasurer.

The Interim Town Manager needs to check with the Town Attorney on the status of an agreement/letter of understanding with the owner of one of the properties. He would also like the Town Attorney to review the letter before sending.

Selectman Bunker moved to authorize the Treasurer to send final collection letters and report back to the Board at the next meeting; Selectman O'Neil seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To inquire of the Treasurer about bidding out bank services

This inquiry was requested by Selectman O'Neil. The bidding out of bank services is supposed to take place every three years but it has not. He is curious about a time frame to do so as the new treasurer settles in. He would like a sense of how long the process would take. The

Treasurer has gone through this process before and states she did find a template for bids that she can use. The Treasurer will review and prepare a time frame for the Board.

Selectman Bunker asks about the 3-year criteria. Selectman O'Neil believes it is a recommendation. Would like to see the scope of what is available. Selectman Bunker would like to see where we are 3 months from now once new employees are settled in.

ITEM 9: To hear proposal from Beckie Bowering of Franklin Savings Bank

Ms. Bowering, Business Solutions Officer at Franklin Savings Bank, approaches the Board. Ms. Bowering thanks the Board for the opportunity to speak with them. She has been with Franklin Savings Bank for 23 years. Franklin Savings Bank is requesting an opportunity to make a proposal to the Town of Farmington with the goal of expanding their relationship. Franklin Savings Bank is the only bank headquartered in Franklin County. They have a special relationship with Farmington. They invest heavily in local education and economic development. In 2022, the Bank donated an excess of \$300,000 to local communities in Franklin County. It is their continued commitment to be a community bank. In 2022, Franklin Saving Bank participated in a dozen community events. When banking with Franklin Savings, funds stay local, build new businesses, and create new jobs in Farmington. Franklin Savings Bank would like to participate in RFP when the Town decides the time is right.

The Board thanks Ms. Bowering.

ITEM 10: To hear request from Farmington Conservation Commission to proclaim the third week of May as Arbor Week

Bill Haslem, Chairman of the Farmington Conservation Commission, approaches the Board. The proclamation is part of Farmington's participation in Tree City USA. Requests that the Chairman sign the proclamation

Chairman Smith states that as a member of the conservation commission, he is amazed with the amount of work that gets done, and thanks the commission for their commitment to the town.

Selectman Bunker moved to proclaim the third week of May as Arbor Week; Selectman O'Neil seconded. Chairman Smith signs the proclamation.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 11: To approve donations from Northern Lights and Byron Staples for banners on Main Street and Broadway

Selectman Bell states that he spoke with Patti Haggan of the Downtown Association. The installation of these banners will finish off Main Street and Broadway and complete the banner

project; already done on Front Street. Northern Lights and Selectman Staples decided they were able to and would like to contribute in order to complete the project.

Selectman Smith moved to accept donations; Selectman Bunker seconded.

VOTE AFFIRMATIVE 3 ABSTENTION 2 MOTION CARRIED
(Bell and Staples)

ITEM 12: To Approve the Minutes of 04/25/23, 04/27/23, and 05/04/23, as amended.

Selectman Bunker moved to approve the minutes; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 13: To Discuss Other Business

The Interim Town Manager states that he will be back in the office next week, likely beginning on Wednesday, May 17.

Selectman O'Neil asks about the access of select board members with department heads and whether the selectmen need permission from the Town Manager and/or Board Members before speaking with them. Selectman Smith states that it is up to the Selectman to determine the appropriateness. Selectman O'Neil is concerned that one on one conversations won't educate the public or other members as to sharing of information. Interim Town Manager states that if a selectman is bringing information from a concerned citizen, they should bring the information to the Town Manager.

Selectman Bunker states that the public is encouraged to contact department heads directly and, if they are not comfortable doing so, the board will share information on their behalf.

Selectman Bunker states that the American Legion will be out on Saturday, May 20 to place flags on Veteran gravesites. Welcomes volunteers beginning at 8:30 a.m.

There being no further business to come before the Board, Selectman XXXXX moved to adjourn to the executive session pursuant to 1 M.R.S. § 405 (6) (E) for a consultation with legal counsel at 7:37 P.M.; Selectman XXXXX seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 14: To hold an executive session pursuant to 1 M.R.S. § 405 (6)(E).

Return to regular session at 8:09 pm.

Selectman Bell moved for a motion to forward bid documents and bid process to the

Town Attorney for review; Selectman O'Neil seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Motion by Selectman Bell to adjourn at 8:11 p.m.; Seconded by Selectman Bunker.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Minutes respectfully submitted by Leah Giusti.

Byron Staples - Secretary