

FARMINGTON BOARD OF SELECTMEN

Tuesday, February 12, 2013

Chairman Stephan Bunker called the meeting to order at 6:30 P.M. with the following members present: Ryan Morgan, Andrew Hufnagel and Dennis Pike. Jessica Berry was absent. Town Manager Richard Davis, Town Secretary Linda Grant, Sewer Clerk Mavis Gensel, Police Chief Jack Peck, Assessor Mark Caldwell, Channel 11, and members of the press and public were also in attendance.

ITEM 1: Pledge of Allegiance to the Flag

Dennis Pike led those present in the Pledge of Allegiance to the Flag.

Chairman Bunker pointed out the busy and varied agenda and asked everyone to be succinct and businesslike in order to do due diligence to each Item. He also asked that anyone having an interest in and wishing to speak to any particular Item raise their hand and wait for him to recognize them. He further asked that anyone recognized introduce themselves as well.

ITEM 2: To Hold a Public Hearing and Vote on Proposed Amendments to the Town of Farmington Traffic Ordinance

Chairman Stephan Bunker opened the Public Hearing under Item 2 at 6:32 P.M.

Town Manager Richard Davis reviewed the Public Hearing advertisement and the proposed amendments, and addressed questions and concerns of Andrew Hufnagel and Jon Bubier regarding parking on Perham Street, and the hours during which parking is prohibited in the Front Street parking lot. Dennis Pike pointed out that enforcement of the designated no parking areas does not start until two hours after the time of the ban.

Chairman Stephan Bunker closed the Public Hearing under Item 2 at 6:40 P.M.

The Board discussed the possibility of reaching out to Franklin Savings Bank to see if they would consider amending the parking hours in their license through a Town Meeting vote because of the late-closing businesses in regard to their employees, as well as patrons. Mr. Davis reiterated that any amendments to the license would have to go to a Town Meeting vote, and then the Traffic Ordinance would have to be amended as well.

Dennis Pike moved to adopt the amendments as proposed and revisit the matter if any problem(s) arise;

ITEM 2: To Hold a Public Hearing and Vote on Proposed Amendments to the Town of Farmington Traffic Ordinance (Cont.)

Richard Davis clarified the license wording for Andrew Hufnagel, as well as the amendment process of said license.

Andrew Hufnagel seconded, with the request for follow-up dialogue with Franklin Savings Bank.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)

ITEM 3: To Discuss Potential Liquor License Violations at the Front Street Tavern and Approve an Action Plan to Address the Matter

Business owners Charles Williams and Bruce Hanson were present, as well as Attorney Paul Mills, who identified himself as the spokesperson for the business owners. Mr. Mills stated that security doorman Timothy “Tiny” Koenig was unable to be present tonight. He had a 10-minute taped interview with Mr. Koenig that he played later during this Item. Stephan Bunker confirmed with Mr. Williams that he had received a letter dated February 6, 2013 from the Town of Farmington outlining this matter, and clarified the Selectmen’s position with regard to said matter. Attorney Mills explained why he did not think a definitive action plan is realistic, as well as expressing the business owners’ willingness to fulfill the Selectmen’s recommendation to send all servers to State-approved alcohol server education courses. Mr. Bunker clarified for Mr. Williams and Mr. Hanson that the Selectmen are looking at incidents at all liquor serving establishments in Farmington, not just theirs. Police Chief Jack Peck was present and reviewed his documentation and determination of violations against this establishment, as well as expressing his desire to see precautionary measures taken to ensure that these types of violations do not take place in the future. Front Street Tavern building owner Robert Sirois and bartender Amy Edwards both expressed their concerns with increased law enforcement traffic at certain times of the night, as well as individuals who are in their parking lot but have not actually been in the establishment. Ms. Edwards also expressed her concerns with medications taken by patrons who mix them with alcohol, and not having had the training to identify that problem. At Andrew Hufnagel’s request, Chief Peck reviewed alcohol related violation statistics that he had compiled for 2012. Stephan Bunker and Ryan Morgan explained the Selectmen’s patron and law enforcement security concerns and recommendations. Mr. Bunker emphasized that it is not the Selectmen’s intent to malign any business, just raise awareness and encourage change, as is their public safety responsibility. Attorney Mills pointed out, for the benefit of the listening audience and public, that the violations being discussed tonight took place off premise, not inside the establishment. Resident and business owner Jon Bubier expressed his concern with the timeframe of the violation allegations and coming before the

ITEM 3: To Discuss Potential Liquor License Violations at the Front Street Tavern and Approve an Action Plan to Address the Matter (Cont.)

Selectmen, which Chief Peck addressed. Mr. Williams expressed his desire to sit down and talk with Chief Peck to discuss the alleged violations. Mr. Bunker asked Mr. Williams and Mr. Hanson to share the documentation of class participation by staff once completed, if they choose to comply with that recommendation.

Richard Davis pointed out that one matter that is not specifically addressed in this agenda, but has been suggested by Ryan Morgan, is to hold a Public Hearing for all renewal liquor license applications, as is the case with all new liquor license applications.

Ryan Morgan moved to change policy to state that all new and renewal liquor license applications must come before the Board of Selectmen for action, Public Hearing and comment; Andrew Hufnagel seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

Richard Davis asked the Selectmen to clarify, at some point in time, whether this change in policy should extend to BYOB and off-premise applications. Stephan Bunker stated that the Selectmen will take it under advisement.

ITEM 4: To Discuss the Possible Formation of an Economic Development Committee

Stephan Bunker stated that this discussion was prompted by Andrew Hufnagel. Mr. Hufnagel explained why he feels a Committee of this type would be important and beneficial to Farmington's economic development, not only for potential business owners to go to, but also to seek out potential business owners. Mr. Bunker asked Greater Franklin Development Corporation (GFDC) Chairman Michael Luciano to give the Board an overview of the GFDC's process for trying to bring business to Farmington and other communities in Franklin County. Mr. Luciano also reviewed successes and failures of the GFDC in bringing business to Franklin County, specifically Farmington and Wilton. Mr. Luciano introduced GFDC Board members Judy Morton from Rangeley, Secretary Attorney Ed David, Franklin County Commissioner Fred Hardy and Town Manager Richard Davis. Property owner Randy Cousineau was present but had to leave unexpectedly. Farmington Downtown Association President Janice Maxham and State Representative Lance Harvell were also present and joined in the discussion. It was the general consensus of those participating in the discussion that communication between not only the GFDC, but the Board of Selectmen and a potential business owner, is key to the future of Farmington's economic development. Mr. Luciano thanked the Board for the opportunity to join in this discussion.

ITEM 5: To Hear an Update on the Proposed Natural Gas Pipeline

Richard Davis reviewed the meetings and research that have taken place to date, and reported that there is another meeting scheduled for Friday, February 22nd here in the Municipal Building Conference Room from 10:30 AM-12N. He also explained that it may not be necessary to issue a Request for Proposals (RFP) on this project because at the last meeting, Summit Utilities indicated that they will definitely be coming to the area. Mr. Davis reviewed Summit Utilities’ business model, which in his opinion is one that fits the need in this area. Representative Lance Harvell further explained the potential benefits of this pipeline. Mr. Davis pointed out that the market is competitive enough so that no tax dollars will be involved, and even with a higher tariff rate, natural gas is still much less expensive than heating oil. Location of the pipeline was also discussed. The Board thanked Mr. Harvell for the work he has done on bringing this proposal to Farmington.

ITEM 6: To Discuss Administration’s Plan for Replacing the Assessing Assistant

Richard Davis reviewed Assessor Mark Caldwell’s memo dated February 8, 2013, which explained the plan to utilize the services of Town Clerk Leanne Pinkham instead of hiring a new employee. Mr. Davis stated that this plan has already been implemented and appears to be working well. He also stated that if the plan works it stands to save the Town approximately \$17,000 annually.

ITEM 7: To Consider the Adoption of a Sewer Abatement Policy

Richard Davis and Sewer Clerk Mavis Gensel explained the research that they have both done on this proposed policy. Resident/business owner Jon Bubier expressed his concerns with the policy mandating only one abatement per year, and urged the Board to eliminate that provision. The Board discussed this option.

Ryan Morgan moved to adopt the proposed Sewer Abatement Policy, with the exclusion of the second sentence; Dennis Pike seconded.

VOTE	AFFIRMATIVE 3	OPPOSED 1	ABSENT 1	MOTION CARRIED
		(Hufnagel)	(Berry)	

ITEM 8: To Review and Approve the Warrant for the 2013 Annual Town Meeting

Richard Davis reviewed the proposed Warrant and stated that once signed, the Town Report will be going to the printer on Thursday, February 14th.

ITEM 8: To Review and Approve the Warrant for the 2013 Annual Town Meeting (Cont.)

Ryan Morgan moved to approve the Warrant for the 2013 annual Town Meeting; Andrew Hufnagel seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

The Board signed two separate originals of the Warrant.

ITEM 9: To Approve an Amendment to the Town of Farmington Tobacco Use Policy

Richard Davis reviewed the proposed amendment, and explained that it came from the Public Works Department because personnel in that department did not feel the designated area at the garage was specific enough. Andrew Hufnagel pointed out that the new Police Station should be added to the Policy.

Andrew Hufnagel moved to approve the proposed amendment to the Town of Farmington Tobacco Use Policy; Ryan Morgan seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

The Board signed the Policy.

ITEM 10: To Approve a *Resolution for Membership and Appointment of Voting Delegate Representative and Alternate* for the Maine Service Centers Coalition

Stephan Bunker confirmed that he and Richard Davis would be willing to serve in these positions again.

Ryan Morgan moved to appoint Richard Davis as Representative and Stephan Bunker as Alternate members and voting delegates for the Maine Service Centers Coalition; Andrew Hufnagel seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

ITEM 11: To Confirm the Employment of Justin Fitch, Craig Richard, and Jeffrey Rowe, Jr. as Part-time Truck Drivers

Dennis Pike moved to confirm the employment of Justin Fitch, Craig Richard, and Jeffrey Rowe, Jr. as part-time truck drivers for the Public Works Department; Ryan Morgan seconded.

ITEM 11: To Confirm the Employment of Justin Fitch, Craig Richard, and Jeffrey Rowe, Jr. as Part-time Truck Drivers (Cont.)

In response to Andrew Hufnagel’s question, Richard Davis explained how these part-time truck drivers will be utilized. Stephan Bunker pointed out that he was pleased to see that the downtown had been cleaned up by Sunday morning after Saturday’s storm.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

ITEM 12: To Accept the Resignation of Nancy Porter from the Transportation Advisory Committee

Richard Davis stated that Mrs. Porter has not been able to consistently attend meetings.

Ryan Morgan moved to accept the resignation of Nancy Porter from the Transportation Advisory Committee with regret and asked that a letter of thanks be sent; Andrew Hufnagel seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

Chairman Bunker pointed out to the listening audience that this Committee and others are always looking for interested citizens to take part.

ITEM 13: To Approve the Minutes of February 5, 2013

Dennis Pike moved to approve the minutes of February 5, 2013; Andrew Hufnagel seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)**

ITEM 14: To Discuss Other Business

- A)** Richard Davis pointed out that a communication has been received from the Franklin County Commissioners’ office regarding the County caucus to fill Budget Committee vacancies, one vacancy of which is in Farmington. He stated that the caucus will be held at 5:00 P.M. on Monday, March 4, 2013.

- B)** Richard Davis pointed out that the summary of the financial audit for the Town Report was received this date, and although the Town was able to add approximately \$100,000 to the Undesignated Fund Balance, it is still \$200,000 below the recommended balance.

ITEM 14: To Discuss Other Business (Cont.)

- C) Stephan Bunker stated that he will be out-of-town from Wednesday, February 13th to Wednesday, February 20th, but will be available by cell phone or email.

- D) Andrew Hufnagel reported that he met with Wilton’s Town Manager Rhonda Irish and Road Foreman John Welch on February 6th, and explained what he hopes to accomplish in his effort to become more personally informed about single stream recycling. He also stated that he will bring whatever information he has to the Board as he compiles it. Richard Davis reported on the upcoming Sandy River Recycling Association (SRRA) meeting with Fergus Lea from AVCOG to look at options for SRRA possibly going to a single or dual sort operation, which the Board discussed.

There being no further business to come before the Board, **Ryan Morgan moved to adjourn at 8:55 P.M.; Dennis Pike seconded.**

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Jessica Berry)

Minutes respectfully submitted by Linda H. Grant.

Dennis C. Pike – Secretary