

FARMINGTON BOARD OF SELECTMEN

Tuesday, January 24, 2017

Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Matthew Smith, Michael Fogg, and Stephan Bunker. Andrew Buckland was unable to attend. Town Manager Richard Davis, Town Secretary Linda Grant, Police Chief Jack Peck, 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.

Vice Chairman Stephan Bunker asked for a moment of silence in remembrance of retired Police Chief and former Selectman, Raymond Orr, and spoke a few words of kindness afterward. Mr. Bunker thanked Police Chief Jack Peck and Deputy Chief Shane Cote, who were present in full dress uniform to help officiate and escort Mr. Orr out after the ceremony. He also thanked Town Manager Richard Davis who attended on behalf of the Town and community. Mr. Bunker reported that there will be a graveside burial with full military honors on May 15, 2017.

ITEM 2: To Hold a Public Meeting to Discuss the Proposed new Sidewalk along Portions of Route 2/4/27 and Hippach Field

Richard Davis stated that this meeting is an update of the presentation that took place in May, 2016 by Travis Prior of Wright Pierce Engineers. It is required as part of the grant process and will be reported to MaineDOT. He passed around a sign-in sheet for all those present to sign, as MaineDOT requires an attendance record. Mr. Davis reviewed, with the assistance of a PDF document displayed on the television screen, the proposed sidewalk project, which included the project area, background, design considerations and project schedule. Mr. Davis explained that a survey is being done by Acme Land Surveying as required by MaineDOT to determine where exactly the sidewalk area that is being connected to on the farther side of Prescott Street is located within the right-of-way. He stated that the cost of the survey, which will come from the Sidewalk Reserve account as match toward this project, will be up to \$1,500. Mr. Davis mentioned again that the federal funds through MaineDOT will pay for 80% of the project and the remaining 20% will be the Town's match from the Sidewalk Reserve account, with the construction estimate currently at \$160,000. Mr. Davis explained one other issue that has arisen regarding the connector that was proposed across the farther entrance to the Hippach Field parking lot to connect with the existing island and crosswalk that goes across to Gifford's. Since a crosswalk cannot be connected to a parking lot, there would have to be another sidewalk on the Gifford's side which would require a section of sidewalk to be installed there with tip downs and the possible relocation of the Gifford's sign. Mr. Davis stated that due to the tight budget of the project he has requested that this particular connector be removed from the project. He pointed out that it is a project that could possibly be accomplished sometime in the future. Mr. Davis further stated that once the

ITEM 2: To Hold a Public Meeting to Discuss the Proposed new Sidewalk along Portions of Route 2/4/27 and Hippach Field (Cont.)

survey has been completed the Town should be able to get MaineDOT's approval for Wright Pierce to put this out to bid in the spring, for which there will be an additional cost that is undetermined at this time. There being no questions from those present, the Selectmen moved on to Item 3 of the agenda.

ITEM 3: To Consider Holding a Special Meeting on January 31, 2017 to Review and Make Recommendations on the Proposed 2017 Departmental Budgets

Richard Davis explained that there will be a few adjustments from the last reports that the Selectmen were given. These will need to be discussed.

Matthew Smith moved to hold a special meeting on January 31, 2017 to review and make recommendations on the proposed 2017 departmental budgets; Stephan Bunker seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 4: To Accept an OUI enforcement grant in the Amount of \$8,319.76

Police Chief Jack Peck was present and reviewed the information in his memo to the Town Manager and Selectmen dated January 6, 2017 regarding this grant. Chief Peck stated that, if allowed to accept this grant, the Police Department will start conducting road blocks and saturated patrols immediately. He further stated that this grant period runs through September 30, 2017, which is the federal government's fiscal year. In response to Stephan Bunker's inquiry as to whether a roadside breath test has been created as yet for marijuana, Chief Peck stated that there has not. He explained the struggles that the State and country are facing with determining the PHC threshold for such a test. Chief Peck reported that he has sent two officers to training and they are now certified Drug Recognition Experts. He explained their role in identifying drug offenders.

Matthew Smith moved to accept an OUI enforcement grant in the amount of \$8,319.76; Stephan Bunker seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 5: To Award the bid for Printing the 2016 Annual Report

Richard Davis reviewed the summary of the five bids received, and recommended that the bid be awarded to Bromar Printing Solutions of Skowhegan, f/k/a Skowhegan Press at a cost of \$1,825.00 for 1,000 saddle stitched reports. Mr. Davis reported that the budget is adequate to allow for additional color photos to be added inside or to the cover for an additional \$80.00 per color page.

ITEM 5: To Award the bid for Printing the 2016 Annual Report (Cont.)

Stephan Bunker moved to award the bid for printing the 2016 annual report to Bromar Printing Solutions at a cost of \$1,825.00 for 1,000 saddle stitched reports, and an additional \$80.00 per color page as the budget allows; Matthew Smith seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 6: To Authorize the Manager to Enter into an Agreement with Wright-Pierce Engineers for Wastewater Treatment Facility Phosphorus Removal Evaluation

Richard Davis explained that this is the project that needs to be done in order to be in compliance with the Treatment Plant's Wastewater Discharge license that is being renewed with the Maine Department of Environmental Protection (MDEP). Mr. Davis reviewed the process and timeline of this project, for which Wright-Pierce has agreed to provide the services necessary to design a system acceptable to MDEP. Wright-Pierce has also agreed to provide an analysis of the probable construction cost to do this, as well as agreeing to assist the Town with an application to USDA Rural Development for funding. Mr. Davis stated that funding is generally a grant/loan combination. Because of the size of the Reserve accounts the Town may not need to borrow money, but in order to qualify for the grant portion the loan is required. Mr. Davis pointed out that the fee for these services will be a lump sum of \$25,000.

Matthew Smith moved to authorize the Manager to enter into an Agreement with Wright-Pierce Engineers for Wastewater Treatment facility phosphorus removal evaluation; Michael Fogg seconded.

Richard Davis stated that the date of compliance for the license is in June of 2021 and he believes the Treatment Plant is operational until then on a conditional permit.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 7: To Write off Minor tax Amounts as Uncollectible

Richard Davis reviewed the account detail sheets for the Scott and Andrea Chase property located at 618 Knowlton Corner Road, as well as the Heirs of Mary R. Decker and Jason Decker property located at 202 Maple Avenue.

Matthew Smith moved to write off the tax amounts of both properties; Stephan Bunker seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 8: To Ratify the Authorization of the Town Attorney to Bring an Action for the Collection of Real Estate Taxes

Richard Davis explained because of the time constraint in getting this action filed the Town's attorney had asked the Selectmen to sign this individually. Three of the Selectmen were able to come in and do so, and the document was timely filed. Mr. Davis further explained that in order to make the action official, he is asking the Selectmen to ratify the document publicly.

Stephan Bunker moved to ratify the authorization of the Town Attorney dated January 12, 2017 to bring an action for the collection of real estate taxes; Matthew Smith seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

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

Richard Davis stated that this amendment pertains to the employee probationary period under Article IV. Selection, Section 3: Probationary Period of the Town employee's Personnel Policy. He explained that the last sentence in the paragraph regarding the provision to extend an employee's probationary period is no longer legal. It was based on a Statute that has since been repealed, so it is being removed from the policy.

Stephan Bunker moved to approve the amendment to Article IV. Selection, Section 3: Probationary Period of the Town of Farmington Personnel Policy; Matthew Smith seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 10: To Consider a Request for a Donation to Support the 2017 Farmington Summer Fest

Richard Davis reviewed the request from Summer Fest Committee Chair Susun Terese dated January 3, 2017, which included the suggested giving levels. Mr. Davis stated that a donation, if the Selectmen so choose, could come from the Special Projects account as it did in 2015. The Selectmen voted not to make a donation in 2016. The Selectmen acknowledged that this is a great event, but there are other such events that take place over the course of the year and they cannot contribute to each of them.

Matthew Smith moved to not make a donation to support the 2017 Farmington Summer Fest; Michael Fogg seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

ITEM 11: To Approve Municipal Quitclaim Deeds

Richard Davis stated that there are seven Quitclaim Deeds and they are all to release interest the Town may have by virtue of undischarged liens.

Matthew Smith moved to approve seven Quitclaim Deeds; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	MOTION CARRIED
					(Andrew Buckland)

The Selectmen signed all seven Quitclaim Deeds.

NOTE FOR THE RECORD: The seven Quitclaim Deeds were for the following property/owners: Marilyn A. Shea, 264 High Street; Pamela J. Abbott, 884 Whittier Road; Pamela Jean Abbott and Eric S. Barry, 888 Whittier Road; Mary Greenmen, 554 Knowlton Corner Road; Denis E. Dalrymple and Sarah H. Dalrymple, 195 Homestead Lane; Frank Viles or his heir(s) in possession, 251 Perham Street; and Linda and David Lake, Pers in Poss, 108 Dutch Drive.

ITEM 12: To Approve the Minutes of January 10, 2017

Matthew Smith moved to approve the minutes of January 10, 2017; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	MOTION CARRIED
					(Andrew Buckland)

ITEM 13: To Discuss Other Business

- A)** Richard Davis echoed Stephan Bunker's thoughts on Raymond Orr, and stated that it was a very nice funeral service. He felt very privileged to have been able to attend as it was a great tribute to a former Police Chief and citizen.
- B)** Stephan Bunker reminded the Selectmen of the final Budget Committee meeting tomorrow, Wednesday, January 25th at 6:30 P.M. Richard Davis stated that the Budget Committee is tentatively scheduled to complete its work at that meeting.
- C)** Stephan Bunker asked if there will be any Article(s) on the annual Town Meeting Warrant in regard to the cultivation/sale of marijuana, and social clubs. Richard Davis stated that he does not feel that there will be anything ready for the March Town Meeting since the Planning Board will not be starting their process of drafting regulations until February 13th. Mr. Davis also pointed out that the State approved a three-month extension so they're looking at not having their regulations in order until February of 2018. It was Mr. Davis' opinion that the Town should vote to prohibit those activities, at least temporarily, until the State gets their rules in order so that the Town doesn't adopt something that will be in

ITEM 13: To Discuss Other Business (Cont.)

C) (Cont.) conflict with the State. Mr. Davis, with the assistance of Chief Jack Peck, reviewed the legalities of recreational marijuana that go into effect on January 30, 2017. They also verified that the legalities of medicinal marijuana are still in effect, and the Town enacted six-month moratorium is only for retail sale and social clubs. Mr. Davis pointed out that if the Town shows progress in developing local regulations then the moratorium can be extended another six months, but that still doesn't reach the State's timeline. The Selectmen discussed the variables of developing regulations, with Mr. Davis further pointing out that the use of medicinal or recreational marijuana is still illegal at the Federal government level.

ITEM 14: To Hold Executive Sessions Pursuant To 1 M.R.S. § 405.6.D to discuss the Police Labor Contract Negotiations with the Negotiators, Richard Davis and Jack Peck; and Pursuant to 1 M.R.S. § 405.6.A to discuss a Personnel Matter in the Public Works Department

Matthew Smith moved to go into Executive Session at 7:10 P.M.; Stephan Bunker seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

The Selectmen came out of Executive Session at 8:48 P.M.

No action was taken.

ITEM 14: (Cont.) To Hold Executive Sessions Pursuant To 1 M.R.S. § 405.6.D to discuss a Personnel Matter in the Public Works Department

Stephan Bunker moved to go into Executive Session at 8:48 P.M.; Matthew Smith seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

The Selectmen came out of Executive Session at 9:08 P.M.

No action was taken.

There being no further business to come before the Board, **Stephan Bunker moved to adjourn; Matthew Smith seconded.**

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Andrew Buckland)**

Minutes respectfully submitted by Linda H. Grant.

Andrew R. Buckland – Secretary