

FARMINGTON SELECT BOARD

Tuesday, July 25, 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://mtbluety.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 6:30 P.M. with the following members present: Stephan Bunker, Joshua Bell, Byron Staples, and Dennis O'Neil. Kenneth Charles, Police Chief, Matt Foster, Director of Parks and Recreation, Cornell Knight, Interim Town Manager, Leah Giusti, Executive Assistant, MBTV Camera Operator XXXXX, and members of the press and members of the public were also present. 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 hold a Public Hearing and vote on the following application for Innkeeper and Lunch Wagon Permit:

- **Mama Licha's – Mainely a Taco Truck
Owned and Operated by: Zachary Dalrymple and Lisa Dalrymple**

Selectman Smith opened the public hearing.

Zach Dalrymple addressed the Board and the public. His family comes from Mexican heritage on his mother, Lisa's side. Looking to bring authentic taqueria food to Farmington/Franklin area. The food truck will run seasonally from May to the end of Fall. They have an agreement with Tumbledown Brewery to provide food service. They will move around to do events. At the moment, the only employees are Zach Dalrymple, his mother, Lisa Dalrymple, and his father. They hope in time to grow to have 2-6 employees for management and operations.

The public had no questions. Selectman Smith closed the public hearing and brought the application back to the Board.

Selectman Staples made a motion to approve the application for the Innkeeper and Lunch Wagon Permit for Mama Licha's – Mainely a Taco Truck; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 3: To review Application for Renewal of On-Premises License for The Roost

The board has no questions or concerns.

Selectman Bell made a motion to approve Application for Renewal of On-Premises License for The Roost; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 4: To hear from Barb Sergio, President of Franklin Community Health, regarding intent to apply for critical access status at Franklin Memorial

Barb Sergio, President of Franklin Community Health, addressed the Board. She is making the rounds at public forums and town meetings to inform residents about Franklin Memorial becoming a Critical Access Hospital and answering any questions they may have.

A Critical Access Hospital has a limit of 25 inpatients, must operate a 24-hour emergency department, and be within 35 miles of another hospital. Inpatients over the course of a year must average stays of less than four (4) days. Franklin Memorial historically has 25 or fewer inpatients at any given time and their average is a stay of 3.5 days. Franklin Memorial could not previously apply for Critical Access status as the definition of a road in the law had to be a 4-lane highway, this was recently changed. The rest of the requirements have already been met for many years. Franklin Memorial will be applying for Critical Access Status with the Federal Government on October 1, 2023.

To address some of the fears and rumors, the same number of beds will be available, they will not be limiting services or cutting jobs. They will not be closing obstetrics or emergency services. By becoming a Critical Access Hospital, Franklin Memorial will be reimbursed 101% percent from Medicare and Medicaid. Currently, they are only reimbursed about 30%. They have hired a new orthopedic surgeon and pain doctor. They are looking to grow the ears, nose, and throat department. They will be growing services and this reimbursement percentage will help them do that.

Selectman Smith asked about the talk of enhancing the emergency department. Ms. Sergio stated that the expansion will be within the blueprint of the original building and use underutilized space within the current footprint. The blueprint has passed 2 out of 3 approvals and they anticipate it will pass the third. They will also be expanding the oncology and infusion space.

Selectman Bunker spoke of his own experience in the infusion clinic and is pleased to hear that it will be expanding. He further inquired about crisis patients ending up in the ER waiting for space in a behavioral health facility. Ms. Sergio stated that within the new design, there will be six beds and a shower room with facilities that could be used for behavioral health patients. Additionally, Franklin Memorial has two psychiatrists starting in September, which will be great for the community. They are also actively recruiting nurses and have been able to go down from 40 travel nurses to 10.

Selectman O'Neil asked about observation patients who do not meet the criteria for inpatient status. Asked if they will have to remain in the emergency department. Ms. Sergio stated that they will go to a room when one becomes available and this does not count toward inpatient totals.

The Board thanks Ms. Sergio for her time and work.

ITEM 5: To hear an update on Tax Acquired Properties

Interim Town Manager Cornell Knight addressed the Board. The Treasurer put together a list of 15 tax-acquired properties with the amounts due, comments, and recommendations. The memo advises the Board that the legislature has passed a bill relating to foreclosed properties wherein

specific forms from the state must be used in the foreclosure process; however, these forms have not yet been created. Mr. Knight stated that there are two properties that the Treasurer has recommended be written off, and action can be taken on those properties now. Mr. Knight also noted that of the 15 properties, regular payments are being made on four (4) of them.

Selectman Bell asked about a note on one property which states that a \$500 payment was made on 4/3/23 and there is a signed payment agreement. Mr. Bell was under the impression that if an agreement is signed, it affects the way in which the town can foreclose on the property. Mr. Knight stated that the agreement was reviewed by the town's attorney, who believes the language is vague enough that it did not meet that criteria.

Selectman Bell asked if there is any more guidance related to the ruling from the Supreme Court. Mr. Knight stated that any excess over the costs to the Town must be returned to the property owner.

Selectman Bunker asked if the foreclosure process is essentially in limbo until we can get the forms from the State. Mr. Knight stated yes, that is the case, and the process will need to be restarted once the forms are available.

Selectman O'Neil inquired about the two properties recommended to be written off. Confirmed that they are trailers on lots that are not owned and, as such, no land is involved. These are taxes from previous years with no hope of being recovered.

Selectman Bunker made a motion to write off the remaining balances on property 3740 in the amount of \$110.43, and property 3854 in the amount of \$129.58; Selectman Staples seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 6: To review and sign six (6) Municipal Quitclaim Deeds

Municipal Quitclaim Deeds for the following properties:

- 392 High Street, Unit 11, Farmington, Maine
- 152 Sandy River Terrace, Farmington, Maine
- 599 Knowlton Corner Road, Farmington, Maine
- 461 Whittier Road, Farmington, Maine
- 160 Court Street, Farmington, Maine

Selectman Smith made a motion to approve and sign all six Municipal Quitclaim Deeds; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: Discuss with the selectboard about the opportunity to partner with a local food pantry for space at the Community Center.

Matt Foster, Director of Parks and Recreation, addressed the board. He was approached by Kristen Wroble and Katie Hallman about the RSU #9 Food Pantry at the Mallett School. They

were requested to find a different location due to space. Mr. Foster met with them. They provide groceries to 100 families per month. This food pantry has a significant impact in the community. They do a lot of hard work. The area within the Community Center they are looking at is an old computer lab in an awkward spot that does not get a lot of use, it is used very occasionally as office space. It is out of the way of the rest of the Community Center activities and would be a good location for them to store their supplies and materials. Once a month trucks and supplies come, they unbox and unpack and later that day families come to pick up groceries. He also discussed the backpack program which helps food-insecure students over the weekend when they are away from school. They pack 48 backpacks a week for students to get through the weekend. This occurs once a week on Fridays and Mr. Foster believes they can accommodate. It is a good thing for the community,

Selectman Bell asked if they have thought about working with the food pantry in Fairbanks.

Selectman O'Neil stated that different sources are important, especially for children who may not have access to other places.

Selectman Smith agrees with the convenience and serviceability of the location. His only hesitation was if there was room or designated space, which there is.

Selectman O'Neil made a motion to allow the RSU #9 Food Pantry to move into the designated space in the Community Center; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To request the Select Board to accept any future donations towards the Skateboard Park and have the money placed into the "Dragon's Nest Reserve Account" (SX-7992) as well as authorization for the Recreation Department and Skateboard Park Committee to begin fundraising as well as submitting grant applications for reconstruction of the Skate Park.

Ms. Foster stated that they are getting close, the design is done, and he would like to apply for grants with a September 2025 build date. He would like to get authorization to begin applying for grants. The Skateboard Association of Maine wants to begin significant fundraising and he would like to tell them that they can begin doing so. He believes it might help simplify the process if he received preapproval to accept donations rather than bring them to the Board every other week for approval.

Mr. Knight stated that a fundraising account can be set up so that donations are tax deductible.

Selectman Smith stated he would be fine with that, as long as a running list of donors is kept.

Selectman Bell mentioned that sometimes those who donate would like recognition. Mr. Foster noted that a list can be kept, thank you letters sent out, and names can be posted on the website.

Selectman Bell asked about applying for grants. Mr. Foster stated that they would like to see that there is already investment and that the town and taxpayers are involved. If there is a plan in place and people are behind it, they are more likely to give a grant.

ITEM 10: To request the authorization to sell the Parks and Recreation Department’s 2013 Kubota zero-turn mower, possibly to the Bonney Woods Corporation or at an upcoming auction and have the funds placed back into the Parks and Recreation Dept. “Equipment Reserve Acct.” (SX7994)

Mr. Foster stated that the mower is still in decent condition, which is why he’d like to get rid of it now as they will still be able to get something for it. It has gotten new tires over the past couple of years and has been well-maintained. It has been a decent mower, but the two new John Deere’s are great, and this mower is no longer needed. Mr. Foster is on the Bonney Woods Corporation board of directors; they are the oldest nonprofit in the state. They have done a lot locally for the town. They are in need of maintenance equipment. The parks department has sold equipment privately in the past, and auctions have been both good and bad. He will look into what they can estimate getting for trade-in or private sale.

Selectman Bell appreciates the Bonney Woods Corporation but believes it would best to put it up for auction or sale publicly.

Mr. Knight is not aware of any specific policy and stated that public sales are fine.

Selectman Bunker made a motion to openly advertise the mower and place funds into the Recreation Dept. “Equipment Reserve Acct.” (SX7994); Selectman Bell Seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 11: Update on 2025 Revaluation Assessing Project

Interim Manager Cornell Knight addressed the Board. He met with the KRT appraisal staff. He has provided the Board with information about what the work entails, the phases they go through, and FAQs. They will post on the Town website with a link to the KRT website where Farmington will be listed with other communities they are doing work on. People can go to the website to see the schedule as to where they will be working in town, what streets they will be on, information on revaluations, and how they do their work. This will be a good resource for residents to stay up to date.

ITEM 12: To vote on MMA Annual Election – Vice President and Executive Committee Members

Selectman Bell made a motion to vote for all candidates and thank them for their willingness to run; Selectman Smith seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 13: To Approve the Minutes of 7/11/23

Selectman Smith made a motion to approve; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 14: To Discuss Other Business

Selectman Bunker thanked the Downtown Business Association for their work on Summerfest this past weekend, he enjoyed seeing the community busy and out enjoying themselves. Selectman Smith echoed Selectman Bunker's thanks and agreed that it was nice to see the downtown full of people and good noise. Police Chief Ken Charles agreed that it was one of the best-attended events in a long time, yet it was still peaceful and there were no issues. They did an excellent job with coordination and planning.

Selectman O'Neil requested an update on the plumbing pay and fee structure. Mr. Knight stated that the Code Enforcement Officer is working on a draft ordinance for the Board's consideration.

Selectman O'Neil inquired about the paving bid contract. He saw a bill from the attorney but has not seen the work yet. Mr. Knight stated that the attorney has sent comments on the draft back to Phil Hutchins, so it is still being worked on.

Mr. Foster told the board that at the next meeting, he and Miranda from ASF will come to give an update on Walton's Mill Park. The final walkthrough is Thursday, the punch list is complete, and opening hopefully by early next week. Looking at a September 29 date for the dedication of the park. Placards for 25 mph will be placed on the corner in both directions. Chief Charles noted that a speed trailer will be placed for traffic count, speeds, etc.

Selectman Bell made a motion to adjourn to executive session at 7:45 pm; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 15: To Hold an Executive Session Pursuant to 1 M.R.S. § 405.6.D to discuss the Sidebar Agreement on Article 29 – Vacations of the Collective Bargaining Agreement with Farmington Police Association

Return to regular session at 7:56 p.m.

Selectman Staples made a motion to approve the Sidebar Agreement to Article 29 of the Collective Bargaining agreement between the Town of Farmington and Farmington Police Association as presented, and the vacation credits shall also apply to Chief Ken Charles; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Selectman Bell made a motion to adjourn to enter executive session as per Title 1 Section 405 (6) (A) to discuss a personnel matter, the town manager search process, at 8:01 p.m.; Selectman Smith seconded.

ITEM 16: To hold an executive session pursuant to 1 MRSA sec 405 (6) (A) to discuss a personnel matter, Town Manager Recruitment Process.

Return to regular session at 8:25 p.m.

Selectman Smith made a motion to readvertise for the town manager's position and seek an interim manager for after August 11th; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Selectman Smith made a motion to adjourn at 8:26 p.m.; Selectman Staples seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Minutes respectfully submitted by Leah Giusti.

Byron Staples - Secretary