FARMINGTON BOARD OF SELECTMEN

Tuesday, May 14, 2013

Chairman Ryan Morgan called the meeting to order at 6:30 P.M. with the following members present: Andrew Hufnagel, Jessica Berry, Dennis Pike and Joshua Bell. Town Manager Richard Davis, Town Secretary Linda Grant, Code Enforcement Officer (CEO) Steve Kaiser, Police Chief Jack Peck, Public Works Director Denis Castonguay, Shop Manager Greg Soule, Channel 11, and members of the press and public were also in attendance.

ITEM 1: Pledge of Allegiance to the Flag

Chairman Ryan Morgan led those present in the Pledge of Allegiance to the Flag.

ITEM 2: To hold a Hearing to Determine whether the Structure Located at 199 Red Schoolhouse Road is Dangerous or a Nuisance within the Meaning of 17 M.R.S. §2851

Chairman Ryan Morgan opened the Hearing under Item 2 at 6:31 P.M.

Richard Davis reviewed a memo from CEO Steve Kaiser dated April 29, 2013 and the attached information. Mr. Kaiser was present and further reviewed the situation, citing his concern for the health of the greater neighborhood due to the presence of a large amount of black mold. His recommendation was to demolish and remove the structure using the safest means possible. The Selectmen discussed whether the site was hazardous versus dangerous, as well as abatement procedures and financial obligation. Abutting property owner Melanie Nadeau was present and expressed her extreme concern with the health risks of the black mold inside and outside of this property.

Chairman Ryan Morgan closed the Hearing under Item 2 at 6:40 P.M.

The Selectmen discussed what determination and direction to give to Mr. Kaiser.

Andrew Hufnagel moved to consider the structure located at 199 Red Schoolhouse Road dangerous or a nuisance within the meaning of 17 M.R.S. §2851 and to direct Code Enforcement Officer Steve Kaiser to move forward with demolition and removal of said structure using all appropriate guidelines; Dennis Pike seconded.

Mr. Kaiser asked for guidance from the Selectmen for a reasonable timeframe. It was the general consensus of the Board that there would be no timeframe set at this time, just to work with the property owner's counsel to determine the soonest date possible for demolition and removal of the structure.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 3: To hear a Presentation from Representatives of Seniors Plus (Connie Jones and Michael McCluskey)

Richard Davis introduced Connie Jones, Director of Community Services for SeniorsPlus, and Michael McCluskey, Director of Finance for SeniorsPlus. Ms. Jones passed out a brochure and list of community monthly office hours prior to giving a presentation on the services provided by this agency and providing examples of the services.

ITEM 4: To Grant a Sewer Abatement (Bonnie Chapman)

Richard Davis reviewed information provided by Sewer Clerk Mavis Gensel on the water leak at property located at 109 Middle Street, and her recommendation to grant an abatement of \$1,142.38 for the first quarter of 2013. Bonnie Chapman was present and confirmed that the leak has been repaired and that this is the only request that she will be making for the time period noted.

Dennis Pike moved to approve a sewer abatement in the amount of \$1,142.38 for property owned by Bonnie Chapman located at 109 Middle Street; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 5: To Proclaim Wednesday, May 22, 2013 as Arbor Day in Farmington

Richard Davis stated that this is standard procedure each year. Conservation Commission Chairman Peter Tracy was present and reviewed next week's Commission activities.

Dennis Pike moved to proclaim Wednesday, May 22, 2012 as Arbor Day in Farmington; Joshua Bell seconded.

Ryan Morgan mentioned that his daughter loved the Commission's activities at Mallett School the previous year.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Chairman Ryan Morgan signed the Proclamation.

ITEM 6: To Award the bid for a Police Cruiser

Richard Davis reviewed Chief Jack Peck's bid tabulation memo dated May 14, 2013. Chief Peck was present and explained why he chose to purchase an SUV rather than a sedan.

Dennis Pike moved to award the bid for a 2013 Ford Interceptor police cruiser to Quirk Ford for the amount of \$25,794; Ryan Morgan seconded.

ITEM 6: To Award the bid for a Police Cruiser (Cont.)

The Selectmen discussed uniformity for setup cost savings by continuing to purchase an SUV each year. Chief Peck assured the Selectmen that he will review the cost difference between an SUV and sedan each year.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: To Award bids for Paving and Street Striping

Richard Davis reviewed the 2013 Road Reclamation and Paving bids tabulation. The recommendation was to award this bid to Bruce A. Manzer, Inc., whose total cost is approximately \$9,000 lower than the bid cost of Pike Industries, Inc.

Jessica Berry moved to award the 2013 Paving bid to Bruce A. Manzer, Inc.; Dennis Pike seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Richard Davis reviewed the 2013 Street Striping bids tabulation. The recommendation was to award this bid to Lucas Striping, LLC of Sidney, Maine for the total cost of \$10,752.06.

Dennis Pike moved to award the 2013 Street Striping bid to Lucas Striping, LLC for the amount of \$10,752.06; Joshua Bell seconded.

At Andrew Hufnagel's request, Denis Castonguay explained the street striping paint specifications.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To Approve the Purchase of Miscellaneous Public Works Equipment

Richard Davis reviewed Public Works Director Denis Castonguay's memo regarding the Public Works Department 2013 equipment replacement request and the Reserve account balance.

Dennis Pike moved to approve the purchase of miscellaneous Public Works equipment for winter road maintenance in the amount of \$75,270; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 9: To Award the bid for Cemetery Wall Repairs

Richard Davis gave each of the Selectmen a copy of the bid tabulation for this work. He explained that the amount of \$7,000 that was budgeted for this project was based on a quote given last year by the Maine School of Masonry, and is not sufficient to fund the project. He reviewed what he perceived the three options for this project to be: reject the bids received and not do the project this year; negotiate a reduced scope of work with the lowest responsible bidder; or appropriate the balance of the necessary funding from unrestricted funds that were transferred to the Town from the Cemetery Trust Fund. The unrestricted funds currently have a balance of approximately \$22,000. Mr. Davis' recommendation was to take \$7,080 from the unrestricted funds together with the \$7,000 that was budgeted in the Cemeteries operation budget and award the bid to the lowest responsive, responsible bidder, which is Ripa Stoneworks, LLC of New Sharon, for the amount of \$14,080. Mr. Davis explained why he feels the work should be done all at once, and also explained his reasons for not awarding the bid to the lowest bidder. The Board discussed the bid specifications relative to the wide range of bids.

Dennis Pike moved to award the bid for cemetery wall repairs to Ripa Stoneworks, LLC for the amount of \$14,080, with \$7,080 to come from the unrestricted funds; Andrew Hufnagel seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Denis Castonguay and Greg Soule left the meeting at 7:35 P.M.

ITEM 10: To Approve Upgrading the Decorative Streetlight Fixtures

Richard Davis reviewed the information he received from Central Maine Power Company (CMP) as to what the additional cost will be to upgrade the decorative streetlight fixtures, and is budgeted within the streetlight operating budget. Ryan Morgan confirmed that this fixture is a much better light. Mr. Davis pointed out that the fixtures themselves actually belong to CMP. Andrew Hufnagel generated a discussion regarding the possibility of waiting to do this upgrade as a Downtown TIF "bricks and mortar" project since there are other locations in Farmington in need of streetlights.

Dennis Pike moved to approve the upgrade of the twenty (20) decorative streetlight fixtures to 175 Granville metal halide for the annual amount of \$6,844.80; Jessica Berry seconded.

Richard Davis explained the process for requesting other streetlights from CMP and asked the Selectmen for a list of locations where they are needed.

VOTE AFFIRMATIVE 4 OPPOSED 1 MOTION CARRIED (Andrew Hufnagel)

ITEM 11: To Approve the Warrant for a May 28, 2013 Special Town Meeting

Richard Davis reviewed the proposed Special Town Meeting Warrant, stating that he is in hopes of expediting adoption of the Public Wellhead Protection Ordinance because the Water Department has grant funding for this project which expires on June 1, 2013.

Andrew Hufnagel moved to approve the Warrant for a May 28, 2013 Special Town Meeting; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Board signed the Warrant.

ITEM 12: To Consider Changing the Procedure for Renewing Liquor Licenses

Richard Davis asked the Selectmen to consider having a Public Hearing for only those establishments that have issues, as most are routine. Mr. Davis reviewed the Selectmen's past and present process, as well as the expense to the renewal applicant. In response to the Selectmen's concerns with fairness, Mr. Davis explained that all new liquor license applicants are already required by State law to come before the Selectmen for a Public Hearing. There is no State requirement for renewal applicants to come before the Selectmen. Ryan Morgan pointed out the summary of incidents the Board received regarding an establishment that was brought before the Board recently.

Jessica Berry moved to hold a Public Hearing only for those liquor license renewal applicants with documented complaints; Dennis Pike seconded.

VOTE AFFIRMATIVE 4 OPPOSED 1 MOTION CARRIED (Ryan Morgan)

The summary of incidents related to Front Street Tavern that was recently brought before the Board was discussed again, with Chief Peck clarifying information. Discussion was kept at a minimum due to the matter not being an agenda item and no court action having been taken as yet. The general consensus of the Board was to seek legal counsel prior to bringing the establishment owners before the Board again.

ITEM 13: To Consider a Proposal to Develop a Business Attraction Brochure

Richard Davis stated that this agenda item is based on a discussion from the last meeting. He reviewed the brochure proposal from Nancy Marshall Communications and reported that it can be funded from the TIF account.

Andrew Hufnagel moved to approve the proposal from Nancy Marshall Communications to design a Business Attraction brochure at a cost of \$3,000; Jessica Berry seconded.

ITEM 13: To Consider a Proposal to Develop a Business Attraction Brochure (Cont.)

Richard Davis pointed out that a separate quote for printing will have to be obtained since that is not included in the design cost. The Selectmen discussed approaching businesses, authorizing the Town Manager as the point of contact, and an upcoming one hour planning session with the designer.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 14: To Appoint a Member of the Board of Selectmen to the Wastewater Superintendent Search Committee

Richard Davis stated that he is in the process of putting together a small Committee for interviewing and suggested that it would be good for one Selectman to be on the Committee. He reported that June 7th is the initial cutoff date but applications will be accepted until the position is filled. Mr. Davis reviewed the proposed process for this Committee.

Dennis Pike moved to appoint Andrew Hufnagel to the Wastewater Superintendent Search Committee; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Jessica Berry volunteered to fill in for Mr. Hufnagel if he has any scheduling conflicts.

ITEM 15: To Determine Economic Priorities for the *Business-Friendly Community Certification Program* Application

Richard Davis reviewed the application form that he is working on for submission in September. Mr. Davis asked the Board to choose from the supplied list of thirteen what they feel the top three priorities for the community should be. Mr. Davis also mentioned that a sponsor is needed and suggested the Greater Franklin Development Corporation or the Franklin County Chamber of Commerce.

The Board reviewed the list of suggested economic priorities and chose, by consensus, Tourism, Agriculture, and "Commercial".

ITEM 16: To Consider the Application of Matt Smith to Serve on the Planning Board

Richard Davis reviewed the application and pointed out that the only opening at this time is for an alternate.

Dennis Pike moved to appoint Matt Smith to the Planning Board to fill the alternate term vacancy; Jessica Berry seconded.

ITEM 16: To Consider the Application of Matt Smith to Serve on the Planning Board (Cont.)

Mr. Davis stated that he did not feel Mr. Smith was aware that the only opening at this time is for an alternate, as he actually applied for a three-year term. Town Secretary Linda Grant pointed out that if a three-year term position becomes available one of the alternate members is typically given the opportunity to move into that position.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 17: To Approve a Municipal Quitclaim Deed

Richard Davis reported that this Quitclaim Deed is to release any interest the Town may have by virtue of undischarged liens in property located at 421 Owen Mann Road belonging to Michelle Robinson and Western Maine Community Land Trust.

Jessica Berry moved to approve the above-referenced Municipal Quitclaim Deed; Andrew Hufnagel seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Selectmen signed the Deed.

ITEM 18: To Approve the Minutes of April 9 and 23 and May 2, 2013

Jessica Berry moved to approve the minutes of April 9, 2013 and table the minutes of April 23 and May 2, 2013; Joshua Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 19: To Discuss Other Business

- A) Richard Davis reviewed a letter dated May 6, 2013 from Gibson Realty LLC which notifies the Town that the Parks and Recreation Department has been approved for receipt of the Marshall L. and Ruth-Anne Gibson grant in the amount of \$10,000.
- B) Richard Davis announced that two 7th grade students, Joe Crandall and Gage Hutchinson, selected the Parks and Recreation Department to be the subject of their school philanthropy project. This consisted of an interview of the Director, followed by a donation of \$127.26 to be used at the Department's discretion. Mr. Davis stated that acceptance of this donation must be approved by the Selectmen.

ITEM 19: To Discuss Other Business (Cont.)

B) (Cont.)

Dennis Pike moved to accept a donation of \$127.26 to the Parks and Recreation Department; Joshua Bell seconded.

The Board asked the Town Manager to send a letter of thanks to Gibson Realty LLC.

VOTE AFFIRMATIVE 5 MOTION CARRIED

- C) Andrew Hufnagel reported that Alan Archibald of Archie's Inc. will be coming to the next Selectmen's meeting to give a presentation on what his company may have to offer in reference to recycling and waste management in the Town of Farmington. Jessica Berry pointed out that the May 28th Selectmen's meeting will be a Special Town Meeting. Richard Davis clarified with Mr. Hufnagel that it would be acceptable to put this item on the June 11th Selectmen's meeting agenda.
- **D**) Jessica Berry reported on the ongoing meetings about the upcoming UMF 150th anniversary celebration.
- E) Ryan Morgan pointed out that the University of Maine at Farmington graduation is this weekend and encouraged traveler awareness and caution.
- F) Ryan Morgan also pointed out that the University of Maine at Farmington geothermal project is scheduled to begin the day after graduation, so traveler awareness and caution is encouraged through the course of that project as well.

To Hold an Executive Session pursuant to 1 M.R.S. § 405.6.A. to Discuss a Police Department Personnel Matter

Andrew Hufnagel moved to go into Executive Session at 8:27 P.M.; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

A member of the Press asked for a copy of the summary of incidents involving Front Street Tavern that was referred to earlier in the meeting. Copies were made for those press members present.

The Board came out of Executive Session at 8:50 P.M.

No action was taken.

There being no further business to come before the Board, Jessica Berry moved to adjourn; Andrew Hufnagel seconded.

VOTE	AFFIRMATIVE	5	MOTION CARRIED	
	fully submitted by Linda H		WOTION CARRIED	
Dennis C. Pike	— Secretary			