

FARMINGTON BOARD OF SELECTMEN

Tuesday, June 27, 2017

Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Matthew Smith, Scott Landry and Michael Fogg. Stephan Bunker was unable to attend. Town Manager Richard Davis, Town Secretary Linda Grant, Code Enforcement Officer Steve Kaiser, and Channel 11 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.

ITEM 2: To Discuss the Dedication of a Road (Kashke Drive) for Acceptance by the Voters at Town Meeting

Colon Durrell and wife Mary Frank were present. He explained that the Drive's name is an abbreviated combination of his three granddaughter's names. Discussion included: ditch erosion control; cost range of the fourteen available lots; the reason for asking the Town to accept the road now if no lots have as yet been purchased; recent request/denial of Town acceptance of the Willow Springs Drive; Town valuation of the property; and placement of this request on a Special Town Meeting versus annual Town Meeting Warrant.

Scott Landry moved to place this request on the next Special or annual Town Meeting Warrant, whichever comes first; Michael Fogg seconded.

Plowing and maintenance of several already established developments in Town was pointed out, and increased tax revenue was reiterated.

VOTE AFFIRMATIVE 4 OPPOSED 1 ABSENT 1 MOTION CARRIED
(Joshua Bell) (Stephan Bunker)

ITEM 3: To Determine a Course of Action with regard to the Abandoned Property Located at 130 Wilton Road, Map U-31 Lot 27

Richard Davis thanked Code Enforcement Officer Steve Kaiser for coming tonight. He reviewed a letter dated February 2, 2017 from Town Attorney Frank Underkuffler, and pointed out that the property is completely in violation of the Consent Agreement that the Town entered into with the owner's daughter. Mr. Davis explained that due to the unresponsiveness to any inquiries or attempts to rectify the non-compliance, Attorney Underkuffler states that the Town could use the "Abandoned Building Statute" (ABS) notice procedure. Mr. Kaiser stated that he felt this would be a great process to try, as no court action is required. He explained the process, as well as his attempts to date in trying to contact the owner and have this property brought into compliance.

ITEM 3: To Determine a Course of Action with regard to the Abandoned Property Located at 130 Wilton Road, Map U-31 Lot 27 (Cont.)

Michael Fogg moved to follow the “Abandoned Building Statute” course of action described by Town Attorney Frank Underkuffler; Matthew Smith seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

ITEM 4: To Approve an Agreement for Bidding and Construction Administration Services for the Route 2/4/27 Sidewalk Project

Richard Davis stated that the Town finally received authorization to advertise this project, and explained where the advertising has been placed. He further stated that the bid packet was sent to eight MaineDOT pre-approved contractors. Mr. Davis expressed his frustration with this project, one case in particular being that because the project is being paid for with federal funds, the Town needs an MaineDOT approved inspector on site five (5) hours per day five (5) days a week for six (6) weeks. The consolation is that the grant is 80% funded for the construction estimate of \$160,000 and Town share estimate of \$50,000. Mr. Davis pointed out that because this project is going out to bid so late in the year they may have to wait until next spring to complete the project if the bids come in too high. There again, if the project is completed this year they may have to go into the operating budget, ie. Public Works Department/Sidewalks, as the funding from the Sidewalk Reserve account may not cover the entire costs. Mr. Davis reviewed Wright-Pierce’s proposed contract amendment to do the bidding oversight. He pointed out that this amendment may be eligible for an amendment to the MaineDOT contract so that 80% of the amendment’s cost would be funded from the project as well, although he needs to verify that. Mr. Davis reviewed the location of the sidewalk project for the benefit of Selectman Scott Landry. He stated that the bids are due to be opened on July 17, 2017.

Matthew Smith moved to approve an additional cost of \$27,327.35 to Wright-Pierce for bidding and construction administration services for the Route 2/4/27 sidewalk project; Michael Fogg seconded.

Richard Davis, in answer to Joshua Bell’s question, stated that he will verify with Wright-Pierce as to whether they will honor this amount if the project is held over to 2018.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

ITEM 5: To Discuss the Broadway Pine Replacement

Richard Davis asked the Selectmen to reconsider the planting of another tree on Broadway, explaining that it was discovered during the grinding of the stump that 10” below the surface is solid wood. He further explained that with the aid of an auger enough room might be made for the placement of a root ball, but there won’t be any place

ITEM 6: To Appoint Board and Committee Members (Cont.)

Conservation Commission:

William Haslam submitted a renewal application for one of the two 3-year term expirations on the Conservation Commission. Byron Davis submitted an application for either a 3-year term or renewal of his 1-year Associate expiration. No other applications were received for the unlimited associate vacancies on this Commission. Matthew Smith explained that his 3-year term is expiring, and since he did not get his re-application in on time for approval at tonight's meeting he will be submitting an application to be added to the next Selectmen's meeting agenda, although he did suggest that he take the 1-year Associate term and let Byron Davis serve the 3-year term.

Scott Landry moved to re-appoint William Haslam to the Conservation Commission for a 3-year term, appoint Byron Davis for a 3-year term and appoint Matthew Smith as an Associate for a 1-year term; Joshua Bell seconded.

**VOTE AFFIRMATIVE 3 ABSTAINED 1 ABSENT 1 MOTION CARRIED
(Matthew Smith) (Stephan Bunker)**

Planning Board:

Donna Tracy submitted a renewal application for one of the two 3-year term expirations, and Michael Otley and Jeffrey Wright each submitted a renewal application for two 1-year alternate term expirations on the Planning Board. Jeffrey Wright and Judith Murphy each submitted a new application for a 3-year term, and William Marceau submitted a new application for a 1-year alternate term. Richard Davis read a letter that Judith Murphy submitted with her application.

Michael Fogg moved to re-appoint Donna Tracy to the Planning Board for a 3-year term, and Michael Otley as an alternate for a 1-year term, and appoint Jeffrey Wright for a 3-year term, and Judith Murphy as an alternate for a 1-year term; no second. Motion died.

The Selectmen continued their discussion of William Marceau's position on the Planning Board in reference to attendance.

Matthew Smith moved to re-appoint Donna Tracy to the Planning Board for a 3-year term, and Michael Otley as an alternate for a 1-year term, and appoint Jeffrey Wright for a 3-year term, and William Marceau as an alternate for a 1-year term with the understanding that Mr. Marceau resign his position if he is unable to attend meetings on a regular basis; Scott Landry seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

Richard Davis and Town Secretary Linda Grant explained the lack of membership on the Recreation Committee and Zoning Board.

Recreation Committee:

No application(s) was/were received for the one 3-year term expiration on the Recreation Committee.

ITEM 6: To Appoint Board and Committee Members (Cont.)

Zoning Board:

There were no term expirations on the Zoning Board, but there remains one 3-year term vacancy, the last two years in a 3-year term vacancy and two alternate 1-year term vacancies.

ITEM 7: To Appoint Philip Hutchins to the Parking Ordinance Committee

Richard Davis reminded the Selectmen that Jim Kiernan resigned from this Committee in May, and since it is good to have someone from the Public Works Department on this Committee, Philip Hutchins has offered to be a member. Mr. Davis pointed out that Mr. Hutchins has been attending Transportation Advisory Committee meetings since hired so should be formally appointed to that Committee as well.

Michael Fogg moved to appoint Philip Hutchins to the Parking Ordinance Committee; Scott Landry seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

Michael Fogg moved to appoint Philip Hutchins to the Farmington Transportation Advisory Committee; Scott Landry seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

ITEM 8: To Consider Closing the Town Office on Monday, July 3, 2017

Richard Davis explained that employees are not looking for a paid day off, but in order not to have the office short-staffed would like to use vacation time in order to have the day off. Mr. Davis pointed out that services will be limited that day anyway in the event there is a State shutdown.

Matthew Smith moved to approve the closing of the Town Office on Monday, July 3, 2017, with employees utilizing vacation time for payment; Michael Fogg seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

Mr. Davis stated that the public will be notified.

ITEM 9: To Approve the Minutes of May 23 and June 13, 2017

Matthew Smith moved to approve the minutes of May 23 and June 13, 2017; Michael Fogg seconded.

**VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)**

ITEM 10: To Discuss Other Business

- A)** Richard Davis reported that, relative to the Maine Department of Environmental Protection (MaineDEP) grant awarded to the Town for the culvert replacement on Front Street, FairPoint Communications has been told that they need to move their bank of conduits that pass through the culvert. There is no record of an easement for the conduits, so they were installed without the knowledge or permission of the Town. A FairPoint official reports that due to the cost of \$300,000 to \$400,000 they will not be able to move the conduits this year. Mr. Davis stated that he wanted the Selectmen to be aware of this issue and that it may hold up the project and impact the grant, although the grant is good until fiscal year 2018, being the end of June. He further stated that he has contacted Attorney Underkuffler for legal advice but not heard back from him as yet. In the meantime, Aaron Dyer from Dirigo Engineering is researching a redesign, and how the project will be phased. Mr. Davis showed the Selectmen pictures of the culvert and conduit that he took in February.
- B)** Michael Fogg asked, in light of all the recent rain, if the Front Street drainage design has remained stable. Richard Davis stated that the only problem he is aware of is that there still isn't much vegetation established. He has talked with Dirigo Engineering about it and will check with Randy Butler again to make sure the Town has a guarantee from E.L. Vining & Son, Inc.

The Selectmen recessed for a few minutes to give the Channel 11 cameraman time to change the recorder tape.

- C)** Matthew Smith reported that he will not be able to attend the regularly scheduled Selectmen's meeting on July 11th.
- D)** Scott Landry reported that he has been asked when the crosswalk striping will be completed. Richard Davis stated that the crosswalk striping was contracted out this year and is weather dependent, with work being accomplished at night. Mr. Davis pointed out that the fog lines, arrows and stop bars still need to be painted on the Wilton Road as well. The Selectmen also discussed the painting of the West Farmington crosswalks, which Mr. Davis stated is included in the project's bid specifications, and the possibility of getting the street and crosswalk striping bid packet out earlier next year.

There being no further business to come before the Board, **Matthew Smith moved to adjourn at 7:52 P.M.; Scott Landry seconded.**

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED
(Stephan Bunker)

Minutes respectfully submitted by Linda H. Grant.

Michael J. Fogg – Secretary