#### FARMINGTON BOARD OF SELECTMEN

#### Tuesday, December 4, 2018

Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Stephan Bunker, Michael Fogg and Matthew Smith. Scott Landry was unable to attend. Town Manager Richard Davis, Town Secretary Linda Grant, Public Works Director Philip Hutchins and members of the press and public 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.

Chairman Joshua Bell asked that the Selectmen move to Item 4 first so that Mr. Scovil doesn't have to wait through Items 2 and 3, which could potentially be very lengthy Items.

## ITEM 4: To Consider the Application of Bradley Scovil to Serve a one-year term on the Budget Committee

Richard Davis explained that an error has been found in the Budget Committee terms so if appointed, he will let Mr. Scovil know what the length of his term will be once the review of the terms is complete. He stated that there is at least a one-year term available. Bradley Scovil was present and introduced himself.

Stephan Bunker moved to appoint Bradley Scovil to fill a vacancy on the Budget Committee, with the length of term to be determined; Matthew Smith seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	ry)	

#### **ITEM 2:** To Review the Public Works Equipment Replacement Schedule and Approve an Equipment Purchase from the Public Works Equipment Reserve Account

Richard Davis reviewed the proposed equipment replacement schedule, pointing out that the only equipment that Mr. Hutchins is requesting at this time is replacement of the screen plant. Public Works Director Philip Hutchins was present and reviewed the screen plant replacement purchase request at a cost of \$45,000, pointing out that a new plant would cost approximately \$80,000. He also reviewed the equipment replacement schedule. Equipment acquired by the Police Department through the LESO Program was discussed, as well as equipment that the Public Works Department will be looking to acquire from that program.

Matthew Smith moved to approve the purchase of an Astec Screen Plant for the amount of \$45,000, said amount to come from the Public Works Equipment Reserve account; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	ry)	

#### ITEM 3: To Determine the Scope of Phase 2 of the Front Street Improvement Project and whether to Proceed by Change Order or bid

Richard Davis stated that, before discussing this Item, he needs to update the Selectmen on a problem that recently arose regarding the height of the retaining wall. He explained that despite the delays in the project it is exactly on budget. This will be the first change order that will add to the project cost. Mr. Davis thanked property owner John Moore for attending the meeting and explained to those present how the problem is affecting Mr. Moore's property, and the proposed resolution. Randy Butler from Dirigo Engineering was present and apologized to Mr. Moore for the errors before explaining the calculation mistakes made and how they transpired. Mr. Butler stated that, if approved tonight, the estimated completion time should be by the end of next week. Mr. Moore expressed his frustrations with the way the engineering, bid and easement processes were handled, as well as the frustrations of the Front Street business owners in regard to Ranger Contracting's lack of communication. Discussion included: condition of the road because the paving wasn't completed; the project going over the contract timeframe; and stability of the bank. Mr. Davis stated that despite the extenuating circumstances that have delayed the project, including bad weather, Ranger Contracting has done good quality work thus far. In discussing the added cost to the project, Mr. Butler stated that Dirigo Engineering and Summit will be absorbing the cost of the labor at approximately \$500, as well as the rental fee of the two pieces of needed equipment at \$402/day. The Town's cost, less the amounts being absorbed by Dirigo and Summit will be approximately \$6,500, with an additional cost of approximately \$1,200 if another row of blocks is added to the top. Farmers Union Director Craig Jordan expressed his frustration with the lack of communication between Ranger Contracting and the Front Street business owners.

## Matthew Smith moved to complete the retaining wall as recommended; Stephan Bunker seconded.

#### VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Scott Landry)

Mr. Davis explained that there are two options for Phase II, which are to have the sidewalk on one or both sides of the south end of Front Street. These two options have been discussed with the Transportation Advisory Committee and they have voted to recommend the less expensive option of having the sidewalk on just one side at an estimated cost of \$242,729. Mr. Davis stated that once an option is chosen there needs to be a discussion as to whether to have a change order with Ranger Contracting or put the project out to bid, there being advantages and disadvantages to both. Mr. Davis pointed out that if the option of just one sidewalk is chosen a sidewalk on the other side can always be installed another time. Joshua Bell generated a brief discussion regarding the possibility of installing a crosswalk from McDonald's across to the end of the sidewalk on the Gifford's side. Randy Butler pointed out that Ranger Contracting is still committed to constructing the Phase I sidewalk next spring. Mr. Davis recommended that a change order for the Phase II sidewalk be given to Ranger Contracting in order to avoid conflict and additional cost of having two contractors working on the road at the same time. Mr. Davis and Mr. Butler clarified for the Selectmen the logistics of the

## **ITEM 3:** To Determine the Scope of Phase 2 of the Front Street Improvement Project and whether to Proceed by Change Order or bid (Cont.)

Phase I sidewalk, and the entire Phase II project. John Moore expressed his opposition to a change order with Ranger unless a hard deadline with penalties if the deadline is not met is added to the contract. Mr. Davis stated that progress meetings are held with Ranger frequently and there is one coming up at the end of this week. Randy Butler pointed out that liquidated damages are always written into a contract but are hard to justify if the project doesn't go over bid. He will review the contract to make sure the language is acceptable, and determine a reasonable timeline. Stipulations to be included in a change order with Ranger Contracting for Phase II were discussed. Public Works Director Philip Hutchins stated that if they go with the change order he would like to recommend that the cost of the remainder of the overlay, milling, and paving be included in the Public Works Department's 2019 paving bid/contract to reduce the cost and time frame, thereby requiring Ranger to work around the schedules of the Public Works Department and paving contractor. Possible installation of a retaining wall and railing along the property of the former Front Street Tavern was discussed.

# Stephan Bunker moved to support Phase II as a change order to Dirigo Engineering and Ranger Contracting with the stipulation that the overlay, milling, and paving be included in the Public Works Department's 2019 paving bid/contract; Michael Fogg seconded.

Added contract incentives and penalties were discussed. Mr. Davis reiterated the benefits of remaining with the same contractor for Phase II. Discussion included deferring the decision on the contracting of Phase II until the next Selectmen's meeting on December 11, 2018, thereby giving the Town Manager the opportunity to discuss the concerns with Ranger at the next progress meeting on Thursday, December 6<sup>th</sup>.

#### Stephan Bunker and Michael Fogg withdrew their motion and second.

#### Michael Fogg moved to approve Option 2 as the scope of work for Phase II; Matthew Smith seconded.

The Selectmen directed Randy Butler to determine if the proposed McDonald's to Gifford's crosswalk is allowable, and if so, if it can be added to Phase II.

#### VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Scott Landry)

Stephan Bunker moved to defer the decision on award of the Phase II contract to the next scheduled meeting; Matthew Smith seconded.

VOTE	AFFIRMATIVE	3	<b>OPPOSED</b> 1	ABSENT 1	MOTION CARRIED
			(Michael Fogg)	(Scott Landry)	

## ITEM 5: To Authorize the Manager to enter into an Agreement for Assessing Services with John E. O'Donnell & Associates, Inc.

Richard Davis explained that he has been working with John O'Donnell on this contract for the past year, and it has been reviewed and approved by the Town's Attorney, Amanda Meader.

Matthew Smith moved to authorize the Town Manager to enter into an Agreement for Assessing Services with John E. O'Donnell & Associates, Inc. as proposed; Stephan Bunker seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Scott Landry)

#### **ITEM 6:** To Accept the Resignation of Marjorie Goodwin from the Town Report Committee

Richard Davis explained that Marjorie Goodwin feels she has reached a point where she needs to step down from this commitment.

## Matthew Smith moved to accept the resignation of Marjorie Goodwin from the Town Report Committee; Michael Fogg seconded.

The Selectmen asked Mr. Davis to send Mrs. Goodwin a letter of thanks on their behalf.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	l <b>ry</b> )	

**ITEM 7:** To Consider the Application of Janet Paul to Serve on the Town Report Committee

Matthew Smith moved to appoint Janet Paul to serve on the Town Report Committee; Stephan Bunker seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Scott Landry)

#### **ITEM 8: To Approve a Cemetery Lot Conveyance**

Richard Davis stated that this Conveyance is for Elizabeth Pratt for two lots in Fairview Cemetery.

Matthew Smith moved to approve a Cemetery Lot Conveyance for two lots in Fairview Cemetery to Elizabeth Pratt; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	l <b>ry</b> )	

The Selectmen signed the Conveyance.

# ITEM 9: To Consider Closing the Town Office on December 24<sup>th</sup>, Allowing Employees to use Accumulated Vacation Time

Richard Davis stated that since Christmas is on a Tuesday this year, having Monday off would allow employees a long weekend. Mr. Davis pointed out that the only issue is that because of the turnover in employees this year there are seven new employees who have no accumulated time that they could use. He asked that the Selectmen instead, as they have in the past, designate December 24<sup>th</sup> as a paid employee holiday.

## Matthew Smith moved to designate Monday, December 24, 2018 as a paid employee holiday; Stephan Bunker seconded.

In answer to Joshua Bell's question as to how this affects union employees, Mr. Davis stated that he will check the contract, but assumes if an employee has to work they receive extra pay.

## VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Scott Landry)

### ITEM 10: To Approve the Minutes of November 13, 2018

Matthew Smith moved to approve the minutes of November 13, 2018; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	ry)	

### ITEM 11: Other Business

- A) Richard Davis explained that Wednesday, December 5, 2018 has been declared a National Day of Mourning. He stated that all Federal and State offices, as well as some municipal offices are going to be closed in observance of that day out of respect for the late President George H.W. Bush. After a brief discussion it was the consensus of the Selectmen that the Farmington Town Office remain open.
- **B**) Stephan Bunker pointed out that another great day of activities were held on Saturday, December 1<sup>st</sup> in observance of Chester Greenwood Day. Matthew Smith further commended the day's activities and attendance thereof.
- C) Joshua Bell questioned the Public Works Department's unexpended balance. Richard Davis explained that the accounts will look better once a few adjustments are made to some incorrect postings. He stated that Treasurer LucyAnn Cook is working with the auditor on making those adjustments.

There being no further business to come before the Board, Matthew Smith moved to adjourn at 8:22 P.M.; Stephan Bunker seconded.

VOTE	AFFIRMATIVE	4	ABSENT	1	<b>MOTION CARRIED</b>
			(Scott Land	ry)	

Minutes respectfully submitted by Linda H. Grant.

\_

Michael J. Fogg - Secretary