

**FARMINGTON BOARD OF SELECTMEN**  
**Tuesday, December 22, 2020**  
**6:30 P.M.**

The meeting was conducted through remote access by telephonic, video, and electronic means. The public was able to attend by viewing the livestream at <http://mtbluetv.org/program-live-stream-farmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> and/or calling 778-5874.

Chairman Matthew Smith called the meeting to order at 6:30 P.M. with the following members present: Stephan Bunker, Michael Fogg, Joshua Bell, and Scott Landry. Town Manager Richard Davis, Interim Police Chief Shane Cote, Director of Parks and Recreation Matthew Foster, Public Works Department Foreman Jim Kiernan, Town Secretary Nancy Martin, Mt. Blue TV camera operator Tom Martin and members of the public were also physically in attendance.

**Votes were taken by roll call.**

**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 an Application for a New Lunch Wagon Permit for White Fox, LLC, owned and operated by Nikolas Regas, located at 800 Fairbanks Road**

Chairman Matthew Smith opened the Public Hearing at 6:31 P.M.

Nikolas Regas was present and provided a brief overview of his business plan. The food truck, which will offer Greek food, will operate Tuesday through Saturday from 11:00 A.M. to 8:00 P.M. Stephan Bunker asked if the food truck would operate at 800 Fairbanks Road or did he plan to take the truck out. Mr. Regas stated that in worst case scenario, he would park the truck at 800 Fairbanks Road. His property is zoned for commercial use. He received permission, however, to park his food truck at Coldwell Banker Real Estate, 602 Wilton Road; Tumbledown Brewery, 805 Farmington Falls Road; and Ambition Brewery, 295 Main Street, Wilton. Mr. Regas specializes in Greek cuisine and will also offer catering. Scott Landry stated that the food is excellent.

Chairman Matthew Smith closed the Public Hearing at 6:33 P.M.

**Joshua Bell moved to approve an application for a Lunch Wagon Permit for White Fox, LLC, owned and operated by Nikolas Regas of Farmington; Stephan Bunker seconded**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE            AFFIRMATIVE        5                    MOTION CARRIED**

**ITEM 3: To Approve Farmington’s Share of the 2021 Central Maine Media Alliance/Mt. Blue TV Budget**

Richard Davis reviewed the 2021 proposed budget request. CMMA Executive Director J.P. Fortier was present and answered the Selectmen’s questions.

**Stephan Bunker moved to appropriate the full franchise fee for Farmington towards the Mount Blue TV/Central Maine Media Alliance’s budget for 2021; Michael Fogg seconded**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 4: To Consider Requesting a Waiver from the Bureau of Alcoholic Beverages and Lottery Operations to allow for one Additional Agency Liquor Store license for Food City Grocery**

Richard Davis reviewed an email dated December 7, 2020 from Zachary Sclar, CEO of Food City Holdings in which he asked the Town to apply for a waiver which would allow for one (1) additional Agency Liquor Store license in Farmington. Food City purchased Tranten’s Market, 180 Main Street, and they feel that a liquor license is vital to their success. Mr. Sclar acknowledged that Farmington has met its maximum of four licenses, but he believes the Town can apply for an exception. He listed the following reasons: The Town is a jumping off point or major thoroughfare to access Sugarloaf and Saddleback for winter activities; there is a significant number of summer residents who are attracted to the lakes and mountains in the Farmington area; and the University of Maine (UMF) population is a significant contributor to economic activity in Farmington. Mr. Davis explained that, pursuant to 28-A MRS §453 1-A.G., the Town may qualify for a waiver. Joshua Bell asked which businesses currently hold Agency Liquor Store Licenses. Mr. Davis reported that Hannaford, Big Apple, Walgreens, and Ron’s Market currently hold liquor licenses. Joshua Bell stated that the number of licenses the State allows in a town is based on population and the ability to make a profit, if there are too many licenses, the businesses will not be able to make a profit. Jon Bubier, owner of Ron’s Market was present and stated that the market is already saturated with ten (10) liquor stores in the area (New Sharon, Chesterville, and Wilton) all competing for the same business. Mr. Bubier stated that each new license in the area costs him approximately \$50,000 in lost sales. He explained that the State caps profits for liquor sales at 10% to 12%, and it is difficult to cover the storage and insurance costs. The benefit to having a liquor license is the increased foot traffic into the store. Mr. Bubier stated that he does not believe the request for a waiver is the Town’s responsibility and Food City should request the waiver through the appropriate channels, not the Town. Mr. Davis agreed that this may be a State issue. Stephan Bunker stated that he appreciates Mr. Bubier’s sentiment and that a letter of support from the Town is a bit premature at this time. Matthew Smith stated that he feels the area is saturated with liquor stores.

**Stephan Bunker moved to pass over requesting a waiver from the Bureau of Alcoholic Beverages and Lottery Operations to allow for one (1) additional Agency Liquor Store license for Food City Grocery; Scott Landry seconded.**

**ITEM 4: To Consider Requesting a Waiver from the Bureau of Alcoholic Beverages and Lottery Operations to allow for one Additional Agency Liquor Store license for Food City Grocery (continued)**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 5: To Accept the balance of \$3,330 in COVID-19 Grant funds to the Police Department for the purchase of future COVID-19 Supplies or Overtime in the event of an Outbreak**

Interim Police Chief Cote explained that the original COVID-19 grant award was for \$8,100. When the Selectmen voted on August 25, 2020, however, they moved to accept \$4,770 of the grant funds to purchase sixteen (16) N-95 masks for public safety. The Selectmen now should consider approving the remaining \$3,330 for the purchase of COVID-19 supplies or overtime in the event of an outbreak. Joshua Bell asked what happens to unspent grant money. IPC Cote stated that they have up to two (2) years to spend the funds and any remaining funds would be returned.

**Joshua Bell moved to accept the balance of \$3,330 in COVID-19 Grant funds to the Police Department for the purchase of future COVID-19 Supplies or Overtime in the event of an Outbreak; Stephan Bunker seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 6: To Establish a K-9 Reserve Account for Emergencies, Equipment Replacement and Acceptance of Donations and Forfeiture assets for the K-9**

Interim Police Chief Cote reported that Treasurer LucyAnn Cook requested that a new line item be added to the budget for a K-9 Reserve Account for emergencies, equipment replacement, donations, and forfeiture assets for the K-9. IPC Cote explained that at this time the police department does not have a budget line item in which to place donated funds. Matthew Smith asked if donations were coming in. IPC Cote stated that they have not received any donations other than the \$1,000 Walmart grant. He stated that K-9 Hook participated in a recent drug bust and may receive a portion of the forfeited assets. Richard Davis stated that in the past years, the Town has received only a few hundred dollars in forfeited assets. Michael Fogg asked if funds would be budgeted each year to this newly proposed K-9 Reserve Account. Mr. Davis stated that minimal funds would be budgeted in the K-9 Reserve Account. Scott Landry asked how current K-9 expenses were being paid and what are the projected yearly expenses. IPC Cote stated that he has not paid any K-9 expenses and barring any injuries, the only other yearly cost would be for the annual vet visit. Training costs are covered under regular payroll expenses. IPC Cote stated that prior to the Walmart grant, Officer Boyd paid for the dog food and did not submit any requests for reimbursement. Mr. Davis stated that originally the agreement was that the dog's food and daily

**ITEM 6: To Establish a K-9 Reserve Account for Emergencies, Equipment Replacement and Acceptance of Donations and Forfeiture assets for the K-9 (continued)**

expenses would be maintained by the Officer. Matthew Smith requested a cost analysis at the end of 2021 to determine the actual costs of the K-9 program. IPC Cote agreed to have Officer Boyd track K-9 Hook's expenses.

**Joshua Bell moved to establish a K-9 Reserve Account for emergencies, equipment replacement and acceptance of donations and forfeiture assets for the K-9; Michael Fogg seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 7: To Transfer \$3,500 of held over Parks and Recreation (P&R) funds and \$4,000 from the 2020 P&R Land and Property Improvement line item to the Hippach Field Projects Reserve Account**

Richard Davis provided an email dated December 8, 2020 from Director of Parks and Recreation Matthew Foster. Mr. Foster was present and discussed the need to replace the Hippach fieldhouse roof which is approximately 40 – 50 years old. The original fieldhouse was built over 100 years ago. Mr. Foster reported that he contacted two companies last year and inquired about repairing the roof, but both companies refused to repair the roof due to its condition. They determined the roof was not repairable and needed to be replaced.

**Stephan Bunker moved to transfer \$3,500 of held over Parks and Recreation (P&R) funds and \$4,000 from the 2020 P&R Land and Property Improvement line item to the Hippach Field Projects Reserve Account; Scott Landry seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 8: To Approve an Expenditure of up to \$2,400 from the P&R Equipment Reserve Account for the Purchase of a new Snowblower for use at the Skating Rink and the Community Center**

Matthew Foster stated that two winters ago Parks and Recreation purchased an Ariens snowblower, and that snowblower changed their lives. Mr. Foster explained that Parks and Recreation owns a 13-year-old Craftsman snowblower and a 15-year-old Craftsman snowblower which do not work well. They do not shoot snow very far and due to their age, they require a significant amount of maintenance.

**Joshua Bell moved to approve an expenditure of up to \$2,400 from the P&R Equipment Reserve Account for the purchase of a new snowblower for use at the skating rink and the Community Center; Stephan Bunker seconded.**

**ITEM 8: To Approve an Expenditure of up to \$2,400 from the P&R Equipment Reserve Account for the Purchase of a new Snowblower for use at the Skating Rink and the Community Center (continued)**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 9: To Consider the Adoption of a Public Works Mutual Aid Agreement**

Richard Davis commended Public Works Director Phil Hutchins for taking the initiative to speak with other municipalities regarding mutual aid agreement opportunities. Mr. Davis stated that, with the COVID-19 situation, there were departments which have experienced personnel shortages due to employees being quarantined. Mr. Davis provided a draft copy of the *“Mutual Aid Agreement by and Between the Public Works Departments of the Town of Farmington and the Town of Wilton in the State of Maine”*. The agreement, which was drafted with COVID-19 in mind, covers all emergency situations. Mr. Davis stated that the Public Works Mutual Aid Agreement is like those used by Fire Rescue Departments across the State. Jim Kiernan was present and stated that Phil Hutchins spent a lot of time on line researching mutual aid agreements and speaking with Public Works Directors across the State. Mr. Kiernan stated that he believes the agreement is a step in the right direction. If the Town gets into a situation with COVID-19, the Public Works Department will need help.

**Scott Landry moved to approve the adoption of a Public Works Mutual Aid Agreement; Joshua Bell seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

The Selectmen signed the Mutual Aid Agreement.

**ITEM 10: To Consider the Application of Ed David to Serve a two-year Term on the Budget Committee**

Richard Davis reviewed Mr. David’s Budget Committee application.

**Joshua Bell moved to approve the application of Ed David to serve a two-year term on the Budget Committee; Stephan Bunker seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

Matthew Smith thanked Mr. David for his commitment to serve on the Budget Committee.

**ITEM 11: To Consider the application of Wayne Kinney to serve on the Town Report Committee**

Richard Davis provided a copy of Wayne Kinney's Town Report Committee application. Mr. Kinney was present and answered the Selectmen's questions.

**Scott Landry moved to approve the application of Wayne Kinney to serve on the Town Report Committee; Michael Fogg seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

Matthew Smith thanked Wayne Kinney of his willingness to serve on the Town Report Committee.

**ITEM 12: To Schedule a Special Meeting for January 5, 2021 to Review the 2021 Departmental Budget Requests**

Richard Davis explained that the Budget Committee plans to meet on Wednesday, January 6, 2021 to review the budget, and that he likes the Selectmen to see the proposed budget first.

**Joshua Bell moved to schedule a special meeting for January 5, 2021 to review the 2021 Departmental budget requests; Michael Fogg seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 13: To Approve the Minutes of December 8, 2020**

**Joshua Bell moved to approve the minutes of December 8, 2020; Scott Landry seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: Yes, Scott Landry: Yes**

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

**ITEM 14: To Discuss Other Business**

- A.** Richard Davis announced that Officer Riley Dowe is leaving the Police department. Officer Dowe accepted a position with the Waterville Police Department. His departure creates an opening in the Police Department.

**ITEM 14: To Discuss Other Business (continued)**

- B.** Richard Davis reported that the search for a new Police Chief is going well. To date the Town has received eight (8) applications: two (2) internal candidates; one (1) local; and five (5) out of state. Mr. Davis stated that he will draft interview questions and forward to the search committee for review and recommendations. Mr. Davis and the committee will review the applications and decide who they will interview for the position.
- C.** Richard Davis and the Selectmen wished everyone a Merry Christmas and a Happy New Year.
- D.** Stephan Bunker asked Scott Landry where the Maine Legislature stands. Scott Landry stated that the House is currently pulling committees together and the committees will meet in person. Large committees will meet in two separate rooms and use Zoom. The Legislators are trying to do everything as efficiently possible. They are “tearing down” the bills and removing any duplicated items. They will be in session for as minimal time as possible in the late spring. The House will rent the Augusta Civic Center when they are in session, and the Senate will meet in the House Chamber.

There being no further business to come before the Board, **Joshua Bell moved to adjourn at 7:31 P.M.; Scott Landry seconded.**

**Roll Call Vote – Matthew Smith: Yes, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell Yes, Scott Landry: Yes**

**VOTE                      AFFIRMATIVE      5                      MOTION CARRIED**

Minutes respectfully submitted by Nancy L. Martin.

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Michael J. Fogg - Secretary