

**FARMINGTON BOARD OF SELECTMEN**  
**Tuesday, March 23, 2021**  
**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, Scott Landry, and Joshua Bell. Town Manager Richard Davis, Town Secretary Nancy Martin, Fire Rescue Chief Terry Bell, Mt. Blue TV camera operator Tom Martin, and members of the public were also present. Members of the press participated remotely as authorized by PL 209, c.617.

**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 on the Following Application for a Marijuana Business Permit/License:**

**Matthew Smith 21-MJ-02**  
**Medical Marijuana Cultivation – Tier 1 Outdoor**  
**116 Partridge Road U22-002**

Richard Davis provided a copy of Matthew Smith’s 21-MJ-02 application, Medical Marijuana Cultivation – Tier 1 Outdoor.

Vice Chairman Stephan Bunker opened the Public Hearing under Item 2 at 6:31 P.M.

There were no public comments.

Vice Chairman Stephan Bunker closed the Public Hearing under Item 2 at 6:32 P.M.

Matthew Smith was present and answered the Selectmen’s questions. A Tier 1 Cultivation permit/license allows up to 30 mature plants (and an unlimited number of immature plants and seedlings) or up to 500 square feet of mature plant canopy.

**Scott Landry moved to approve the application of Matthew Smith 21-MJ-02; Joshua Bell seconded.**

**Roll Call Vote –Matthew Smith: Abstain, Stephan Bunker: Yes, Michael Fogg: Yes, Joshua Bell: No, Scott Landry: Yes**

**VOTE            AFFIRMATIVE    4            ABSTAINED    1            MOTION CARRIED**  
**(Smith)**

**ITEM 3: To Review Proposed Amendments to the Town of Farmington Adult Use and Medical Marijuana Stores, Cultivation Facilities, Manufacturing Facilities, and Testing Facilities Ordinance**

Richard Davis provided a copy of the proposed amendments and the License Fee Payment Agreement. The amendments state that, “the applicants must sign a Promissory Agreement (form provided by the Town) unconditionally promising to pay the Town their License/Permit fee(s) upon approval by the Municipal Officers. After an initial License/Permit has been approved by the Municipal Officers under this Ordinance and the initial fee has been paid, to retain an active License/Permit and keep the same current as approved by the Municipal Officers under this Ordinance, the Licensee/Permittee must, on or before the subsequent anniversaries of the initial approval date by the Municipal Officers, pay to the Town their renewal fee. Failure by Licensees/Permittees to make payments when due will result in immediate suspension of their Licenses/Permits previously approved under this Ordinance by the Municipal Officers and, if the due amount remains unpaid for thirty (30) days thereafter, subject Permits/Licenses will be revoked by the Municipal Officers and subject Licensees/Permittees must immediately cease business operations under this Ordinance. Licensees/Permittees that have had their Licenses/Permits revoked for non-payment cannot file a new Notification of Intent (NOI) to file a new application until they have paid all standing delinquent Permit/License fees owed to the Town. In addition, such former Licensees/Permittees will go to the bottom of the NOI list – behind all previously filed NOIs waiting for marijuana business slots to become available.”

**Stephan Bunker moved to approve Amendments to the Town of Farmington Adult Use and Medical Marijuana Stores, Cultivation Facilities, Manufacturing Facilities, and Testing Facilities Ordinance; 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 4: To Approve an Order Pertaining to the Placement of Questions on the Secret Ballot Referendum to be held on Monday, April 26, 2021**

Richard Davis reviewed the Municipal Officers’ Order pursuant to 30-A M.R.S. §2525(5), which orders that Articles 2 through 42 be placed on the ballot for a secret ballot referendum election to be held on April 26, 2021.

**Scott Landry moved to approve an Order pertaining to the placement of Articles 2 through 42 on the Secret Ballot Referendum to be held on Monday, April 26, 2021; 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**

The Selectmen Signed the Municipal Officers’ Order.

**ITEM 5: To Approve a Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum**

Richard Davis reviewed the Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum. The Town of Farmington will hold a public hearing on April 13, 2021 at 6:30 p.m. at the Community Center at 127 Middle Street. The Municipal Officers will hear public comment on Articles 3 through 42 of the STATE OF MAINE BUDGET REFERENDUM FOR THE TOWN OF FARMINGTON, to be held on Monday, April 26, 2021.

**Stephan Bunker moved to approve the Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum, to be held on April 26, 2021; Joshua Bell seconded.**

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

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

The Selectmen signed the Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum/ Municipal Officers' Return document.

**ITEM 6: To Approve the Warrant Form and Return for the Secret Ballot Referendum to be held on Monday, April 26, 2021**

Richard Davis provided a copy of the Warrant Form and Return for the Secret Ballot Referendum.

**Scott Landry moved to approve the Warrant Form and Return for the Secret Ballot Referendum to be held on Monday, April 26, 2021; Joshua Bell seconded.**

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

**VOTE AFFIRMATIVE 5 MOTION CARRIED**

The Selectmen signed the Warrant Form and Officers' Return for the Secret Ballot Referendum

**ITEM 7: To Approve the Warrant for Inclusion in the 2020 Annual Town Report**

Richard Davis provided a copy of the Warrant as it will appear in the Town Report. Mr. Davis explained that the Town can include a little more information regarding the Articles in the Town Report.

**Scott Landry moved to approve the Warrant for Inclusion in the 2020 Annual Town Report; Joshua Bell 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 Consider the Recommendations of the Downtown TIF Advisory Committee**

Richard Davis provided a copy of a memo from Downtown TIF Advisory Committee President Patty Haggan dated March 5, 2021, and a draft copy of the Advisory Committee Minutes dated March 10, 2021. The Committee approved motions to request \$2,500 from the Downtown TIF Reserve Account to hire a part-time contracted Digital Marketing Assistant for the Farmington Downtown Association (FDA); request \$41,100 from the TIF funds in 2021 for underground conduit and light bases for decorative streetlighting in the TIF District section of High Street; and to recommend the Town pursue the expansion of the Downtown TIF District to include both sides of High Street from Broadway to Lake Avenue to the extent that is not already in the District.

Mixed-up Owner Diane Ellis, Pins and Needles Owner Cherri Tompkins, and Mixed-up employee Andrea Harris Dunn addressed the Selectmen, voicing their support for a part-time contracted Digital Marketing Assistant (DMA). If approved, the DMA will update and maintain the FDA website and cross link the site to other organizations such as the Franklin County Chamber of Commerce and the Town of Farmington. The DMA would promote special events and businesses through Facebook and Instagram. A refreshed social media presence will create interest and bring in more Downtown Association Members. Ms. Ellis, Ms. Tompkins, and Ms. Harris Dunn answered the Selectmen's questions.

**Joshua Bell moved to appropriate of \$2,500 from the Downtown TIF Account to hire a part-time Digital Marketing Assistant for the Farmington Downtown Association; 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**

Discussion continued on the recommendations of the Downtown TIF Advisory Committee. Richard Davis and the Selectmen reviewed the preliminary project cost estimate and schematic from Dirigo Engineering for the High Street lighting project and plans to extend the TIF District on both sides of High Street down to Lake Avenue. Mr. Davis stated that the issue with amending the TIF District is that it is quite a lengthy process that requires a Special Town Meeting and State approval. To have the funds available this fiscal year, the amendment would have needed to be done by March 1<sup>st</sup> of this year. Mr. Davis stated that he researched the Downtown Development Plan and discovered that Downtown TIF funds can be spent outside the TIF District if they meet certain requirements. TIF revenues may be used for allowable costs within the District as well as outside of the District. Allowable costs include extension of public infrastructure outside the District necessitated by future growth and expansion in the District. These include necessary sidewalks or other infrastructure extensions outside the TIF District but into other areas of Downtown. Mr. Davis stated that one of the recommendations within the Downtown Development Plan is to extend the decorative lighting along High Street to South Street. Mr. Davis recommended that the Selectmen appropriate \$150,000 to the Downtown TIF Reserve Account at the time of tax commitment this year and proceed with the entire lighting project in conjunction with the High Street rehabilitation project. Mr. Davis disclosed that the High Street Lighting Project would need to put out to bid in the very near future. Mr. Davis

**ITEM 8: To Consider the Recommendations of the Downtown TIF Advisory Committee (continued)**

stated that the TIF does have a shelf life of thirty years and if the money is not used, it goes away.

**Scott Landry moved to appropriate \$150,000 into the Downtown TIF Reserve Account at the time of the 2021 tax commitment; 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 9: To Approve a new Road Name (LEAP Lane)**

Richard Davis reported that Life Enrichment Advancing People (LEAP) purchased 167 Livermore Falls Road and the adjacent lot which abuts Wilson Stream. They will build a training facility on the lot, which will result in two buildings. A road will run between the two facilities, and LEAP requests that the road be named LEAP Lane. Scott Landry stated that LEAP Lane is a good description. Fire Rescue Chief Terry Bell, who oversees road names, stated that LEAP Lane meets all E9-1-1 guidelines. Michael Fogg questioned the use of “Road, Lane, and Way” when naming roads. Road is used when the road is not a dead end, Lane and Way are traditionally used when the road is a dead end.

**Joshua Bell moved to approve the new road name LEAP Lane; 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 10: To Adopt the Proposed Town of Farmington COVID-19 Pandemic Policy**

Richard Davis reviewed the proposed Town of Farmington COVID-19 Pandemic Policy. Joshua Bell asked if there should be a standard pandemic policy. Mr. Davis stated that the Town already has a Pandemic and Influenza Policy in place. This new policy is specific to the COVID-19 Pandemic and, hopefully at some point, will become moot because the disease is no longer an issue.

**Michael Fogg moved to adopt the proposed Town of Farmington COVID-19 Pandemic Policy; 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 11: To Schedule a Special Town Meeting for Tuesday, May 11, 2021**

Richard Davis reported that he is working on a Warrant for the Special Town Meeting. The Solar Net Energy Agreement needs approval in May. The Agreement, which is a twenty-year agreement, will save the Town a projected \$140,000 per year in energy costs. Mr. Davis explained that twenty-year agreements require Town Meeting approval. He stated that he was skeptical at first, but the Town's lawyer reviewed the agreement, and it is legitimate.

**Scott Landry moved to Schedule a Special Town Meeting for Tuesday, May 11, 2021  
Joshua Bell 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 12: To Accept the Resignation of Adrian Harris from the Zoning Board**

Mr. Davis conveyed that Mr. Harris has submitted a letter of resignation. The Selectmen thanked Mr. Harris for his years of service.

**Michael Fogg moved to accept the resignation of Adrian Harris from the Zoning Board;  
Joshua Bell 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 March 9, 2021**

**Scott Landry moved to approve the minutes of January 26, 2021; Joshua Bell 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 reminded the Selectmen that the next Selectmen's Meeting/Referendum Public Hearing will be held on Tuesday, April 13, 2021 at 6:30 P. M. The meeting will take place in the Community Center gymnasium.

B) Stephen Bunker encouraged people age 50 and older to get vaccinated against COVID-19. Mr. Bunker stated that he volunteered last Monday, and over 400 people were vaccinated.

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

- C) Scott Landry inquired about trucks exiting Horn Hill Road and turning toward New Sharon. Richard Davis stated that the Town of Farmington has an agreement with Wanzek Construction allowing them to travel posted roads, and they are responsible for repairing any damage. Wanzek should not be traveling on New Sharon's posted roads. They are to use Farmington roads instead. Mr. Davis stated that it appears there was a miscommunication and that he would ask Public Works Director Phil Hutchins to see that signs are put up stating "No Right Turn" for trucks exiting Horn Hill Road onto Bailey Hill Road.

There being no further business to come before the Board, **Stephan Bunker moved to adjourn at 7:43 P.M.; Joshua Bell 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