

FARMINGTON BOARD OF SELECTMEN

Tuesday, June 12, 2018

Chairman Joshua Bell called the meeting to order at 6:30 P.M. with the following members present: Matthew Smith, Scott Landry, Stephan Bunker and Michael Fogg. Town Manager Richard Davis, Town Secretary Linda Grant, Police Chief Jack Peck, Channel 11, 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.

ITEM 2: To Hold a Public Hearing and vote on the Following Renewal Applications for Innkeeper and Lunch Wagon Permits:

- **Farmington Motel, located at 489 Farmington Falls Road, owned and operated by Jaynti Patel**
- **Mount Blue Motel, located at 454 Wilton Road and Colonial Valley Motel, located at 593 Wilton Road, both owned and operated by Rick Collins**
- **Grantlee's Mobile, owned and operated by Bernard Bates**
- **El Toro, owned and operated by Garnet Keim and Anne Holloway**
- **Sandy River Dairy, owned and operated by Erik Johnson and L. Herbert York**

Richard Davis pointed out that the Sandy River Dairy is a new application, not a renewal. He stated that the five renewals are the same applicants as last year, and referred to the applications provided to the Selectmen in their informational packet.

Chairman Joshua Bell opened the Public Hearing for five renewal applications at 6:32 P.M.

There were no questions on the renewal applications.

Chairman Joshua Bell closed the Public Hearing for renewal applications at 6:33 P.M.

Michael Fogg moved to approve the Innkeeper renewal applications for Farmington Motel, Mount Blue Motel, and Colonial Valley Motel, and the Lunch Wagon Permit renewal applications for Grantlee's Mobile and El Toro; Matthew Smith seconded.

Richard Davis confirmed for Stephan Bunker that the department heads had no concerns with any of the five renewal applications, and clarified for Joshua Bell that any vendors who sell uncooked food from their vehicle must be licensed by the State, not the Town.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Selectmen executed a single signature page for all five renewal applications.

ITEM 2: To Hold a Public Hearing and vote on the Following Renewal Applications for Innkeeper and Lunch Wagon Permits: (Cont.)

- **Farmington Motel, located at 489 Farmington Falls Road, owned and operated by Jaynti Patel**
- **Mount Blue Motel, located at 454 Wilton Road and Colonial Valley Motel, located at 593 Wilton Road, both owned and operated by Rick Collins**
- **Grantlee’s Mobile, owned and operated by Bernard Bates**
- **El Toro, owned and operated by Garnet Keim and Anne Holloway**
- **Sandy River Dairy, owned and operated by Erik Johnson and L. Herbert York**

Chairman Joshua Bell opened the Public Hearing for a new Lunch Wagon Permit application at 6:34 P.M.

Erika Johnson was present and explained that they will be selling the homemade frozen custard made, as well as pints of milk produced, at their farm, from their mobile food truck in an effort to diversify their farm business since they just lost their milk market as of August 31st.

Chairman Joshua Bell closed the Public Hearing for a new application at 6:36 P.M.

Scott Landry moved to approve the Lunch Wagon Permit application for Sandy River Dairy; Stephan Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Selectmen executed a signature page for the new application.

ITEM 3: To Hold a Public Hearing and vote on an Application for a New Liquor License for Christopher Burnette and Joshua Hiltz d/b/a *Taste of Texas*, located at 147 Pleasant Street

Richard Davis stated that this new application has been duly advertised.

Joshua Bell opened the Public Hearing under Item 3 at 6:38 P.M.

Co-owner Christopher Burnette was present and explained his new business venture, which will open upstairs soon as a pool table/music/entertainment venue with a simple menu, and eventually open downstairs as a southwest-style cuisine steakhouse. Resident Bill Tanner was very complimentary of the master chef that Mr. Burnette has hired. Mr. Burnette explained his partnership with Joshua Hiltz, and the TIPS training that all employees will be required to take. Parking was discussed.

Joshua Bell closed the Public Hearing under Item 3 at 6:51 P.M.

ITEM 3: To Hold a Public Hearing and vote on an Application for a New Liquor License for Christopher Burnette and Joshua Hiltz d/b/a *Taste of Texas*, located at 147 Pleasant Street (Cont.)

Stephan Bunker moved to approve an application for a new liquor license for a new Liquor License for Christopher Burnette and Joshua Hiltz d/b/a Taste of Texas, located at 147 Pleasant Street; Matthew Smith seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Selectmen signed a signature page.

ITEM 4: To Review Information related to the Proposed CMP Transmission Line (Senator Saviello)

Item 4 was temporarily passed over, as Richard Davis reported that Senator Saviello was running late.

ITEM 5: To Approve the Transfer of Criminal Forfeiture Assets to the Police Department, said Assets Consisting of \$6,636 in Currency, a Handgun, two Magazines and 48 Rounds of 9mm Ammunition

Chief Jack Peck was present and explained that the above listed forfeiture assets were acquired from three different criminal cases. Chief Peck reviewed the criminal cases and what the department proposes to do with the assets.

Stephan Bunker moved to approve the transfer of the above listed criminal forfeiture assets to the Police Department; Matthew Smith seconded.

In response to Joshua Bell's inquiry regarding the money, Chief Peck explained that it will go into the department's Vehicle Reserve account which, along with the trade-in of three former forfeiture vehicles, will be used to purchase a good condition second hand vehicle for the department.

VOTE AFFIRMATIVE 5 MOTION CARRIED

Chairman Bell signed the three (3) Approvals of Transfer.

ITEM 6: To award the bid for Heat Pump Installations in the Municipal Building Lower Level Offices

Richard Davis reviewed a tabulation of the two bids received, and recommended that the bid be awarded to ABT Plumbing of Wilton at a cost of \$11,568.16, which meets the Town's specifications and falls within the \$12,000 that was budgeted for this project

Stephan Bunker moved to award the bid for heat pump installations in the Municipal Building lower level offices to ABT Plumbing at a cost of \$11,568.16; Matthew Smith seconded.

ITEM 6: To award the bid for Heat Pump Installations in the Municipal Building Lower Level Offices (Cont.)

Joshua Bell generated a brief discussion regarding the Town's different heating maintenance contractors and the feasibility of combining the services and putting it out to bid.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: To Approve the Selection of the Town Attorney

Richard Davis reviewed the tabulation of the ten proposals received, and recommended that the Town engage the services of Amanda Meader of the law firm of Ellis and Meader in Augusta as the new Town attorney. Mr. Davis reviewed the list of hourly fees. The Selectmen reviewed and commented on the proposals of the top three firms that were provided to them. Mr. Davis pointed out that the one area in which this firm may not have much experience is with bond counsel, but the Town has used Bernstein Shur for this in the past, as well as other specialty services.

Scott Landry moved to approve the selection of Amanda Meader of the law firm of Ellis and Meader as the Town's Attorney; Stephan Bunker seconded.

Richard Davis stated that he will get a contract drawn up and find out tomorrow when Ms. Meader will start.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To Authorize the Town Manager to sign Purchase and Sale Agreements for Foreclosed Properties to be sold at Auction on June 13, 2018

Richard Davis stated that these properties proposed are at the recommendation of former Town Attorney Frank Underkuffler. Mr. Davis stated that the auction is scheduled to take place at the Community Center on Wednesday, June 13th at 6:00 P.M., and pointed out that there has been a great deal of interest.

Stephan Bunker moved to authorize the Town Manager to sign Purchase and Sale Agreements for foreclosed properties to be sold at auction on June 13, 2018; Scott Landry seconded.

Matthew Smith generated a brief discussion as to what happens if any of the properties are not sold. Joshua Bell generated a brief discussion regarding no reserve having been placed on any of the properties.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 9: To Accept a Grant of \$1,500 from Wal-Mart and a Donation of \$500 from Sports Projects, Inc., both to the Parks and Recreation Department

Richard Davis pointed out a memo dated May 22, 2018 from Parks & Recreation Director Matthew Foster, who was present and explained the proposed use of these funds for a new FEARLESS Summer Program for 13-14 year olds. Discussion included: eligibility; future extension of the program; transportation; and payment of staff participant.

Michael Fogg moved to accept a grant of \$1,500 from Wal-Mart and a donation of \$500 from Sports Projects, Inc., both to the Parks and Recreation Department, to be used at the department head's discretion; Matthew Smith seconded.

Stephan Bunker generated a discussion about the possibility of pay-their-way participants. The Selectmen expressed their appreciation to Director Foster for his efforts.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 10: To Approve a Municipal Quitclaim Deed

Richard Davis reviewed a Quitclaim Deed releasing any interest the Town might have on account of undischarged liens on property of Jamie Foss, located at Morrison Hill Road.

Michael Fogg moved to approve a Municipal Quitclaim Deed for Jamie Foss; Stephan Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Selectmen signed the Quitclaim Deed.

ITEM 11: To Approve the Minutes of May 22, 2018

Matthew Smith moved to approve the minutes of May 22, 2018; Stephan Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 12: To Discuss Other Business

A) Richard Davis reported that the Maine Labor Relations Board has certified the vote of the Public Works Department to join the Teamsters; however no request has as yet been received for a bargaining date. Mr. Davis stated that he anticipates that the three major items that will be looked at will be wages, working conditions, and health insurance, and with the Selectmen's permission, will enlist the assistance of Attorney Amanda Meader with this negotiation. Joshua Bell questioned having a member of the Board of Selectmen participate.

ITEM 12: To Discuss Other Business (Cont.)

- A)** (Cont.) At Joshua Bell’s suggestion and Mr. Davis’ agreement, Michael Fogg and Matthew Smith both volunteered to participate in the Teamsters negotiations. Michael Fogg deferred to Matthew Smith when Mr. Davis stated that probably only one should participate.
- B)** Richard Davis reiterated that the auction for foreclosed properties is tomorrow evening, and encouraged all who are able to attend.
- C)** Richard Davis reported that the Public Works Department has started work on the Titcomb Hill Road.
- D)** Richard Davis reported that the Front Street project goes out to bid tomorrow, with the bid opening scheduled for July 3rd.
- E)** Stephan Bunker complimented the Public Works Department on the improvements that they have made on the Webster Road.
- F)** Michael Fogg questioned the status of the litigation of the Prescott Street sewer lawsuit. Richard Davis stated that the latest update was sent to them via email a few days ago, which stated that Preti Flaherty has the case now and the Town’s attorneys have filed an answer. They are seeking mediation with Bruce Manzer and Ted Berry Co., Inc. Mr. Davis stated that since this matter is in litigation they should only be discussing it in general terms; any discussion of specifics should take place in Executive Session.
- G)** In answer to Scott Landry’s question as to the status of the BeeLine internet speed upgrade, Richard Davis stated that it is his understanding that sometimes the speed is there but one has to upgrade their router in order to receive it, but he will check with George Allen at BeeLine as to what the speed upgrade will be and the date that it will be available.
- H)** In answer to Joshua Bell’s question regarding what is currently taking place for work on Prescott Street, Richard Davis stated that they are rebuilding the manholes before the final paving.
- I)** Joshua Bell asked Richard Davis to make sure that Planning Assistant Robin Zagorodny emails the Planning Board agendas to the Selectmen.
- J)** In answer to Scott Landry’s inquiry as to whether the new homeless shelter has gone before the Planning Board, Richard Davis stated that they have not as yet applied.

ITEM 4: To Review Information related to the Proposed CMP Transmission Line (Senator Saviello)

Richard Davis stated that Senator Saviello had another meeting tonight that must have prevented him from attending this meeting. Mr. Davis reported that Senator Saviello had indicated to him that he is arranging a forum between the County Commissioners and

**ITEM 4: To Review Information related to the Proposed CMP Transmission Line
(Senator Saviello) (Cont.)**

officials from Jay, Wilton and Farmington, to take place on Monday, July 16th at the Mt. Blue Campus, which he believes Central Maine Power will be invited to attend as well. He will confirm that date with Senator Saviello. He further stated that he is unsure of what the Senator's approach is, whether to request the Selectmen withdraw their support of the project, or to seek economic enhancements or some sort of compensation in return for supporting the project. The Selectmen discussed their interpretation of the further information that the Senator has uncovered to date in his research of this matter.

There being no further business to come before the Board, **Stephan Bunker moved to adjourn at 7:47 P.M.; Matthew Smith seconded.**

VOTE AFFIRMATIVE 5 MOTION CARRIED

Minutes respectfully submitted by Linda H. Grant.

Michael J. Fogg - Secretary