

**FARMINGTON SELECT BOARD**  
**Tuesday, August 22, 2023**

**The conduct of the meeting included remote access by telephone, video, and electronic means. The public could attend in person or by viewing the live stream at <http://mtbluetelevision.org/program-live-streamfarmington-selectmen.html> or Facebook at <https://www.facebook.com/MBTV11/> or calling 578-7395.**

Chairman Matthew Smith called the meeting to order at 6:30 P.M. with the following members present: Stephen Bunker, Joshua Bell, Byron Staples, and Dennis O'Neil. Police Chief Kenneth Charles, Fire Chief Tim Hardy, Phil Hutchins, Director of Public Works, Leia Durrell, Assistant Director of Public Works, Matt Foster, Director of Parks & Recreation, Maranda Nemeth of the Atlantic Salmon Federation, Keel Kemper, Regional Wildlife Biologist, Sarah Boyden, Assistant Regional Wildlife Biologist, Sgt. Scott Thrasher, Warden Service, Cpl. Kris McCabe, Warden Service, Farmington District Warden, Avery Boucher, Warden Service, Cindy Gelinas, Planning Assistant, Leah Giusti, Executive Assistant, MBTV Camera Operator, and members of the press and members of the public were also present. Members of the press and public participated remotely as authorized by PL 209, c.617.

**ITEM 1: Pledge of Allegiance to the Flag**

Chairman Matthew Smith led those present in the Pledge of Allegiance to the Flag.

**ITEM 2: Public Hearing – Community Development Block Grant Program – 2023  
Economic Development Program – Riverside Greenhouses and Florist, LLC,  
169 Farmington Falls Road**

Chairman Smith opened the Public Hearing at 6:33 p.m.

Garrett Reynolds, owner of Riverside Greenhouses and Florist, addressed the Select Board. He is applying for the CDBG grant in order to hire two new full-time employees in return for a \$90,000 grant which will allow him to build a 30' x 80' greenhouse that is heated year-round in the front of the property. In addition, he will be extending the front room and tying it into the new greenhouse, which will be financed by Mr. Reynolds. This project is tied to job creation in the area and business expansion.

Aileen Kennedy asked how many employees the greenhouse currently has. Mr. Reynolds stated that there are eight employees currently, two full-time and six part-time.

There being no further comments, Chairman Smith closed the Public Hearing at 6:37 p.m.

Selectman Bunker Stated that the Select Board has been a participant in the past for these programs with the obligation on the grantee and gave credit to Mr. Reynolds for fostering this program and he wished him well with the project as we would with any business growth. Selectman O'Neil said it is nice to watch the community grow with homegrown business and he was happy to be able to support it. Selectman Smith stated that he works just down the road from Riverside and has watched it grow. He commended Mr. Reynolds and wished him well. Selectman Bell asked when Mr. Reynolds expected to start and finish the project. Mr. Reynolds states he would like to begin in late December or January and finish by spring.

**Selectman Bunker made a motion to authorize and support the Community Development Block Grant to Riverside Greenhouse and Florist, LLC, 169 Farmington Falls Road; Selectman Smith seconded.**

**VOTE            AFFIRMATIVE        5                                    MOTION CARRIED**

**ITEM 3:    To discuss deer with Wildlife Biologist and Game Warden**

The following members of the Maine Department of Inland Fisheries & Wildlife (MDIFW) were present to address questions and concerns from community members:

Keel Kemper, Regional Wildlife Biologist  
Sarah Boyden, Assistant Regional Wildlife Biologist  
Sgt. Scott Thrasher, Warden Service  
Cpl. Kris McCabe, Warden Service  
Farmington District Warden, Avery Boucher, Warden Service

Keel Kemper, Regional Wildlife Biologist addressed the Select Board and members of the public.

Tracey Williams, who started the petition with her neighbors regarding the increasing deer population, asked what could be done to address the high deer population and added concerns about tick-borne illnesses.

The group proposed an ordinance against deer feeding in their petition. Mr. Kemper stated that he is unaware of any towns in Maine that have an ordinance against feeding deer, but did note that it is illegal to feed and/or bait deer from June 1 until the end of muzzle-loading season, which is typically around December 15. Mr. Kemper further noted that any ordinance would not be enforceable by the Warden Service but by local police.

Rachel McClellan shared concerns about tick-borne illness as well as chronic wasting disease. Mr. Kemper noted that wasting disease is not in Maine at this time, if it was state regulations would be initiated. McClellan also mentioned that she is aware of people feeding deer corn, which is not a good food source for deer. The Warden Service did note that if they are aware of particular individuals feeding deer, the Warden can speak to them directly and, if necessary, issue a citation.

Andrea Hall of Lake Avenue asked about an expanded archery season. This would not apply to Farmington as expanded archery seasons are only permitted in towns with an ordinance against the discharge of firearms that would prohibit deer hunting with guns.

Hunting with a firearm and during the regular bowhunting season is an option, as long as the regular hunting laws are followed. This includes maintaining a distance of 100 yards from residences and obtaining landowner permissions. The hunting handbook can be found at the Farmington Town Office and online at <https://www.maine.gov/ifw/hunting-trapping/hunting/laws-rules/index.html>

Aileen Kennedy inquired about a way to trap and transport. Mr. Kemper stated this is generally not successful. Deer suffer from capture myopathy – half of the deer die when captured. It is

also consuming and expensive.

Greg Williams asked about using drones to track deer. He was advised that drones cannot be used to assist in a hunt.

MDIFW recently changed the rules on antlerless deer permits that allow a hunter to take an antlerless deer and continue hunting for an antlered deer; this expanded the number of deer that can be harvested. Sarah Boyden suggested that the effects of this change should be seen in the next few years.

Police Chief Kenneth Charles shared some concerns about an ordinance that the police department would be responsible for enforcing, given limitations on staffing.

Selectman Stephan Bunker stated that procedurally, if the group wanted to pursue an ordinance against feeding deer, the ordinance would be developed with the code enforcement office before going to the planning board, then reviewed by the select board, and put to a town meeting vote.

Mr. Kemper suggested that if members of the community want to start a committee, they should look up Islesboro's town website for their Deer Reduction Committee meeting minutes. He noted that a committee would put in the legwork to research options and educate the community. The group of residents agreed to meet outside the meeting to discuss the possibility of a deer committee that could help the town research the best options and help educate the community about restrictions on feeding deer. The Select Board asked that the group keep them informed.

Chairman Matt Smith noted that a lot of good information was exchanged, and he looks forward to seeing how we move forward.

Mr. Kemper provided his phone number (287-5369) and mentioned that the MDIFW office on Route 4 with all the resources you need.

**ITEM 4: To hear an update on Walton's Mill Park with Maranda Nemeth of the Atlantic Salmon Federation**

Maranda Nemeth of the Atlantic Salmon Federation (ASF) addressed the Select Board. She is working with Matt Foster, Director of Parks & Recreation on wrapping up the project. They need to close out grants, provide reports to regulatory agencies, and change the flood plan. Additionally, they will be transferring \$20,000 to the Town of Farmington for maintenance on the park. This will be a lump sum and will be transferred in the fall.

In addition, they will be hosting a dedication ceremony for the town, funders, state and federal agencies, and foundations who have participated in the project. It will take place on September 29, 2023 at 11:00 a.m. and will be open to the public.

Selectman Bell asked about the future use of the park and town maintenance. Ms. Nemeth noted that one of the grants stipulated that a portion of the property be committed to conservation with an official conservation description. She will review the conservation easement for specific language. Mr. Foster added that surveys were done so there will be a map which notes conservation areas.

Chairman Smith inquired about the placement of the Mary Wright Memorial Bench. Mr. Foster stated that it was in the park plan which was reviewed by the committee. The intent was to place the bench in a peaceful spot overlooking the falls which could be enjoyed by visitors to the park. Mr. Foster met with one resident who stated that the location was unacceptable to them. The location this resident requested would make the bench inaccessible and he does not believe there is a way to get the bench into this location that would make it usable. Mr. Foster then suggested a spot to the left of the path, right up in the front of the park.

Chairman Smith stated that Ms. Wright was a special woman who needs to be remembered by the community for all the work she did for Farmington. She served on the Select Board for a number of years and helped to write the original grant that created Walton's Mill Park. He wants to make sure that the bench is not pushed to the back of the park.

Selectman O'Neil stated that he has seen where the bench is located and he believes it is in a good spot to sit and enjoy the view. He is impressed with the renovation of the park.

Aileen Kennedy asked if the bench would be moved to the new spot before the dedication ceremony. Mr. Foster stated that he is not sure.

Selectman Bell stated that the park was very well done and he sees people enjoying it daily when he drives by.

Mr. Foster notes that the town voted on whether or not to keep the damn and they voted over 70% in favor of removing it.

Ms. Nemeth stated that she will be putting forth a simple agreement to cover the next 5 years. ASF will be monitoring the park for five years on behalf of the town. This is all part of the grant requirement. For access, management of invasive plant species, flagging, and spray treatments. The agreement runs through 2028, and that will be their only role going forward.

Selectman Bell inquired about the movement of wildlife, specifically beavers, who have been impacted and moved due to the project. Ms. Nemeth stated that beaver removal is regulated and ASF is only working on town land. ASF did not track wildlife movement, nor were they obligated to. She stated that she could speak to Selectman Bell outside of the public meeting in regard to private land issues.

**ITEM 5: To hear an update on FEMA Disaster Declarations, 2023 paving, and LRAP funds from Phil Hutchins, Director of Public Works**

Assistant Director of Public Works, Leia Durrell, addressed the Select Board. With regard to FEMA Disaster Declarations, she stated claims were made for storms in December 2022, May 2023, and June 2023. The claim for the December storm was a total of \$75,225.29; tree removal costs were \$10,500 and total road damages were \$64,725.29. This is in review with FEMA and the town should hear updates on reimbursement soon. In addition, the town has estimated damages of \$162,955 from the May 1 storm and \$28,475 for the storm on June 29. Those claims will be going through the FEMA process.

With regard to the 2023 paving process, paving has been finished on Mosher Hill Road, Savage Road, Ramsdell Road, and the Christian Drive development. The finish work has been

completed on Christian Drive and crews are now finishing up Mosher Hill Road and Ramsdell Road. Prep work will be done on Bailey Hill Road and Weeks Mills Road for paving in the spring.

Selectman Bell stated that he had driven down Ramsdell Road and was glad to see the excavator on Mosher Hill. He asked when the finish work would be complete. Ms. Durrell stated that it should be done in the next couple of weeks, the department has been stretched thin with the continuous rain damage and getting crosswalks ready for the school year.

Ms. Durrell stated that LRAP funds went up 20% this year, the Town was awarded \$191K.

**ITEM 6: To authorize Public Works to sell and bid out 416 Cat Backhoe**

Ms. Durrell stated that a new backhoe was purchased in 2022. They have had no problems with it and the transfer station loves it. The old 416 Cat Backhoe was used for 30 years and is no longer being used. They would like to put it out to bid and sell for whatever they can get for it. Mr. Hutchins will speak with Mr. Foster about advertising.

The Select Board requested an update once there has been movement.

**Selectman Bell made a motion to approve and deposit funds into the Public Works Equipment Reserve Fund; Selectman Smith seconded.**

**VOTE            AFFIRMATIVE            5            MOTION CARRIED**

**ITEM 7: To review the paving bid**

The Select Board reviewed the paving bid.

The Public Works Department is hoping to have it completed by November 1.

Selectman O’Neil noted the language that states that the town retains the right to negotiate change orders. He would like language added that the contract does not expend beyond one year. Selectman Bunker disagrees, he thinks it is good that it gives the town the option to lock in rates.

Selectman Smith agrees with Selectman Bunker but thinks this gives us more language to reference as opposed to the previous contract. This contract has been through counsel, and he believes is okay as long as the language gets changed to not going beyond a calendar year.

Selectman Bell states that the language protects against companies contracting out work.

Selectman Staples states that the language just states that the town reserves the right to negotiate, not that they have to.

**Selectman Staples made a motion to accept the Paving Bid; Selectman Bell seconded.**

**VOTE            AFFIRMATIVE            5            MOTION CARRIED**



Ryan Morgan addressed the Select Board to voice concerns about narcotics in the community. His proposition is to add two additional positions to the police force, including a full-time detective who would focus on narcotics. He also expressed concerns about recruitment issues. He also noted that Narcan is not a solution to the problem, the solution is to get drugs off the streets.

Selectman Bell stated that he believes there is more to the issue than increasing the police force. This is a societal problem, and possibly a problem with courts and sentencing laws. He notes that it is a cycle wherein they are chasing the same people over and over again. He would like to see if there is a strategic punishment that would help fix the problem. He further noted that increasing pay for officers only results in other towns matching the pay increase. He believes the town is being proactive, and noted that there are still two openings in the police department, including one detective position.

Police Chief Ken Charles noted that it is a cyclical problem. He would love to be able to have a school resource officer. He stated that fewer and fewer people are recognizing the good of working in public service, and not enough people want to get involved. He further stated that this is the first time in the past 10-15 years that there has not been a waiting list for the Police Academy and, in fact, there are openings.

Mr. Morgan stated that he is trying to do what he can do at the town level.

**ITEM 11: To hold an executive session pursuant to 1 MRSA § 405 (6)(A) to discuss a personnel matter, Review Town Manager Applications**

**Selectman Smith made a motion to enter executive session pursuant to 1 MRSA § 405 (6)(A) to discuss a personnel matter, Review Town Manager Applications at 8:47 p.m.; Selectman O'Neil seconded.**

**VOTE            AFFIRMATIVE        5                    MOTION CARRIED**

Return to regular session at 8:59 p.m.

**Selectman Smith made a motion to adjourn; Selectman Staples seconded.**

**VOTE            AFFIRMATIVE        5                    MOTION CARRIED**

Minutes respectfully submitted by Leah Giusti.

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Byron Staples - Secretary