

FARMINGTON BOARD OF SELECTMEN

Tuesday, April 9, 2013

Chairman Ryan Morgan called the meeting to order at 6:30 P.M. with the following members present: Andrew Hufnagel, Jessica Berry, Dennis Pike and Joshua Bell. Town Manager Richard Davis, Town Secretary Linda Grant, Public Works Director Denis Castonguay, Police Chief Jack Peck (arrived at approximately 7:00 P.M.), Sewer Superintendent and Clerk, Steve Moore and Mavis Gensel, Assessor Mark Caldwell, Channel 11, and members of the press and public were also in attendance.

ITEM 1: Pledge of Allegiance to the Flag

Andrew Hufnagel led those present in the Pledge of Allegiance to the Flag.

ITEM 2: To Hear an Update from George Allen, VP and General Manager of Beeline Cable Company

Richard Davis explained that once the Town has received the annual rate information from Bee Line Cable Company, the Selectmen typically have asked that Bee Line's Vice President George Allen come to their meeting to give them an update on rates and any other items of interest. Mr. Allen was present and explained the reasons for the April 1st rate increases, which included bundling problems and Internet growth. He also reviewed telephone and Internet services, the drop in subscribers, wireless router speed interference relative to the new smart meters, and the new Bee Line logo. In answer to Dennis Pike's question as to what the Town might be able to do to help in regard to the bundling problems, Mr. Allen stated that letters of complaint to the FCC would not be unreasonable. Resident James House, in his capacity as a telecommuter, commented on the unsatisfactory internet speeds.

ITEM 3: To Review and Approve the Proposed Town of Farmington Downtown Development Plan

Richard Davis stated that there was a workshop this afternoon and reviewed John Holden's memo regarding the changes that were made as a result of that workshop. Mr. Holden was present and further explained the changes. At Andrew Hufnagel's request, Mr. Holden explained the procedure for amendments to the Plan once it is approved, and it was his recommendation that if approved, the Plan be reviewed every six months. Mr. Davis stated that he emailed a copy of the revisions to Paul Mills for distribution to the Downtown Association.

Dennis Pike moved to approve the proposed Town of Farmington Downtown Development Plan; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 3: To Review and Approve the Proposed Town of Farmington Downtown Development Plan (Cont.)

Chairman Ryan Morgan thanked Town Manager Richard Davis, the Board of Selectmen and the Downtown Association, citizens and community members for their participation in the development of this Plan.

ITEM 4: To Discuss Maintenance of Gravel Roads

Andrew Hufnagel stated that he initiated this Item in an effort to come up with a plan, through discussion with gravel road residents and business owners, to improve the method in which the gravel roads are maintained throughout the year. Richard Davis reviewed the suggestions that he and Public Works Director Denis Castonguay have come up with in discussing how to improve the gravel roads in Farmington, which included use of more calcium chloride, use of a combination of erosion control fabric and gravel in low places, and work on drainage problems over the course of the year. Webster Road resident and business owner Robin Jordan spoke to the conditions of that road, and Ryan Morgan read a letter from resident Michael Chase that had been delivered to him by Dennis Pike and was accompanied by four photos. Public Works Director Denis Castonguay was present and explained what has been done to the Webster Road to date, and what still needs to be done. Topics of discussion were: calcium chloride application versus grading/re-application; crushed gravel versus stone gravel; possible use of a road compactor; increased traffic volume; the “Road Surface Management Plan” versus the “5-Yr. Plan”; and possible adoption of a grading schedule. Residents James Jordan and Dennis O’Neil both contributed to these discussions. Ramsdell Road resident Bob Lawrence stated that his road has improved and the Public Works crew has always responded to his calls in a timely fashion. *(Denis Castonguay left the meeting at 7:25 P.M.)*

ITEM 5: To Consider a Request to use Meetinghouse Park for an overnight Vigil for Equality on Saturday, April 20, 2013 (Astra Pierson)

Richard Davis reviewed the proposed request and introduced Astra Pierson, who further explained the proposal for a group of honors students from Mt. Blue High School to hold an overnight vigil in Meetinghouse Park. She emphasized the group’s willingness to make modifications to the request at the Selectmen’s discretion in order to gain their permission to use Meetinghouse Park for this vigil.

Dennis Pike moved to approve a request by a group of Mt. Blue High School honors students to use Meetinghouse Park for an overnight Vigil for Equality on Saturday, April 20, 2013; Jessica Berry seconded.

ITEM 5: To Consider a Request to use Meetinghouse Park for an overnight Vigil for Equality on Saturday, April 20, 2013 (Astra Pierson) (Cont.)

Ms. Pierson answered further questions regarding the definition of Vigil for Equality, and how many people are anticipated to attend and/or spend the night. Topics discussed were: prior discussions regarding setting precedents; the purpose of the Ordinance that was recently approved; the setting of reasonable limits; disallowance of open flame in the Park, as well as disallowance of overnight camping; suggested alternate locations; and changing of the start and end times. Gloria ? and resident Nancy Porter contributed to these discussions. Ms. Pierson stated that they would be willing to use battery-operated candles instead of tea lights, and the start time of the vigil will be approximately 12:00 P.M.

Dennis Pike moved to amend his motion and Jessica Berry her second to approve said Vigil for Equality from 12:00 P.M. to 11:00 P.M. on Saturday, April 20, 2013, and the substitution of battery-operated candles for the tea lights; Dennis Pike seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 6: To Consider a Request to use Meetinghouse Park as a Gathering Place for the Hospice House 5K, Remembrance Walk, and Kids' 1-Mile Fun Run on Sunday, May 5, 2013 from 7:00 a.m. to noon (Kelley Cullenberg)

Kelley Cullenberg was present and explained her request. Police Chief Jack Peck was also present for the discussion, which consisted of a review of last year's events, street lane closures, and traffic concerns.

Dennis Pike moved to approve a request to use Meetinghouse Park as a gathering place for the Hospice House 5K, Remembrance Walk, and Kids' 1-Mile Fun Run on Sunday, May 5, 2013 from 7:00 a.m. to noon, with the inclusion that any business setup be placed outside the park; Joshua Bell seconded.

Ryan Morgan encouraged more traffic control. Chief Peck and Dennis Pike both complimented last year's event. Dennis Pike pointed out that the day before, May 4th, is the Fiddlehead Festival.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: To Authorize the Police Department to Apply for a \$1,419 Maine Municipal Association (MMA) Grant for Safety Equipment

Police Chief Jack Peck was present and reviewed his memo dated April 9, 2013 in which he explained the proposed use of the grant funds, if they are awarded. Chief Peck also stated that MMA clarified via phone this date that the Town's cost for the proposed purchases will be \$709.96.

ITEM 7: To Authorize the Police Department to Apply for a \$1,419 Maine Municipal Association (MMA) Grant for Safety Equipment

Dennis Pike moved to authorize the Police Department to apply for a \$1,419 Maine Municipal Association grant for safety equipment; Andrew Hufnagel seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To Review and Approve the Proposed 2013 Sewer Department Budget

Richard Davis apologized for not having the Sewer budget information available until now but the finishing touches were not applied until late today. Sewer Superintendent Steve Moore and Clerk Mavis Gensel were present and Mrs. Gensel highlighted the budget changes. Mr. Davis pointed out the addition of a new Part-time line item which he stated pertains to the retirement of the present Superintendent, and a proposal for him to continue working part-time. The Board reviewed the entire budget. It was pointed out that potential savings might be realized by putting the mowing of the pump stations out to bid. Mr. Davis asked the Board to keep in mind the corrosive environment that is being dealt with when Mr. Moore explains this year's proposed plant maintenance projects, which they will now be able to address due to the debt service being paid off.

Dennis Pike moved to approve as the 2013 Sewer Budget as presented; no second. Motion failed.

Mr. Davis stated that it was anticipated that the Board would need more time to review the proposed budget, but explained that due to there being no cash flow the Department hoped that the Board would approve a sewer commitment based on the rates that are currently in place. Rates for the second quarter sewer commitment will be adjusted once the Sewer Budget is approved. Mrs. Gensel apologized again for not getting the budget information to the Board sooner, pointing out that the entire treatment plant crew has been sick for several weeks.

Andrew Hufnagel moved to table Item 8 until the next regularly scheduled meeting on April 23, 2013; Joshua Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 9: To Approve the First Quarter 2013 Sewer Commitment

Richard Davis stated that this Commitment is being presented based on the rates that are currently in place in the interest of generating cash flow.

ITEM 9: To Approve the First Quarter 2013 Sewer Commitment (Cont.)

Dennis Pike moved and Jessica Berry seconded, as Sewer Commissioners, to approve the following rates for the first quarter 2013 Sewer Commitment:

Residential/Rental Minimum = \$7.667 / 100 cubic feet

Residential/Rental Minimum = \$38.34 / 500 cubic feet

Commercial Minimum = \$9.925 / 100 cubic feet

Commercial Minimum = \$49.63 / 500 cubic feet

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Board signed the Commitment.

In response to Andrew Hufnagel's request to schedule discussion of the current sewer hookups rates on the next Selectmen's agenda, Mavis Gensel suggested that the discussion wait until after an on-going survey is complete so that data from other Towns is available. Mr. Hufnagel felt that initiation of discussion would be beneficial now.

ITEM 10: To Discuss a Plan to Replace the Retiring Wastewater Superintendent

Richard Davis stated that Steve Moore is retiring in August of this year after 40 years of employment with the Town, and suggested appointing a hiring committee to find his replacement. Resident Nancy Porter expressed her concerns with the Town's hiring process.

Andrew Hufnagel moved to table Item 10 until the next regularly scheduled meeting on April 23, 2013; Joshua Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 11: To Authorize the Town Manager to Apply for a \$10,000 Grant from the *Marshall L. and Ruth-Anne H. Gibson Municipal Charitable Program*

Richard Davis reviewed the Program, as well as his suggestion for use of the funds for public restrooms at the North Church. The Board discussed use of the funds at the Community Center.

Dennis Pike moved to authorize the Town Manager to Apply for a \$10,000 Grant from the *Marshall L. and Ruth-Anne H. Gibson Municipal Charitable Program* to be utilized at the Community Center; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 12: To Renew the Policy on Treasurer’s Disbursement Warrants for Employee Wages and Benefits and State Fees

Richard Davis explained that this is an annual Policy that requires renewal after the annual election due to potential changes in the membership of the Board of Selectmen.

Andrew Hufnagel moved to renew the Policy on Treasurer’s Disbursement Warrants for employee wages and benefits and State fees; Dennis Pike seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Board signed the Policy.

ITEM 13: To Discuss the Election Process for MMA Executive Committee and Vice President

Richard Davis reviewed the election process and asked the Selectmen to let him know if any of them are interested in being nominated. Andrew Hufnagel asked how many other Selectmen from Farmington other than Stephan Bunker have been appointed to the Executive Committee. Mr. Davis stated that he will check with Mr. Bunker.

ITEM 14: To Approve the Minutes of March 19, 2013

Jessica Berry moved to approve the minutes of March 19, 2013; Joshua Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 15: To Discuss Other Business

- A) Richard Davis reported that Police Chief Jack Peck has informed him that there is going to be a rally in support of returning the Franklin County Jail to a full correctional facility on Wednesday, April 10th at 5:00 P.M. in the Franklin County Courthouse parking lot on the corner of Main Street and Church Street.
- B) Jessica Berry stated that she will be unable to attend the Safety Committee meeting upstairs in the Fire Department Meeting Room tomorrow at 9:30 A.M. and wondered if any of the other Selectmen would be interested in attending in her place. Andrew Hufnagel stated that he will try to attend.
- C) Joshua Bell asked that discussion of be placed on the April 23rd Selectmen’s agenda.

ITEM 15: To Discuss Other Business (Cont.)

D) Resident Michael Deschenes asked the Selectmen for permission to speak to them regarding the next agenda item, as he felt he had pertinent information that they should be aware of before discussing the renewal of the Assessor's employment agreement. The Selectmen agreed, whereupon Mr. Deschenes handed out two packets of information and reviewed the history of his problems with the Assessor's valuation of his property versus other property in Town. Assessor Mark Caldwell was present and addressed Mr. Deschene's allegations. Mr. Deschenes asked the Board to consider not renewing the Assessor's employment agreement. The Selectmen discussed the process for addressing assessing complaints.

ITEM 16: To Hold an Executive Session Pursuant to 1 M.R.S. § 405.6.A to Discuss Renewal of the Assessor's Employment Agreement

Andrew Hufnagel moved to go into Executive Session at 9:22 P.M.; Jessica Berry seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

The Board came out of Executive Session at 10:18 p.m.

Jessica Berry moved to renew the Assessor's Employment Agreement for the period from May 6, 2013 to December 31, 2014, subject to the terms and conditions stated in said Agreement as of this date; Dennis Pike seconded.

**VOTE: AFFIRMATIVE 4 OPPOSED 1 MOTION CARRIED
(Joshua Bell)**

There being no further business to come before the Board, **Jessica Berry moved to adjourn at 10:20 P.M.; Andrew Hufnagel seconded.**

VOTE: AFFIRMATIVE 5 MOTION CARRIED

Minutes respectfully submitted by Linda H. Grant.

Dennis C. Pike - Secretary