

**FARMINGTON BOARD OF SELECTMEN**  
**Tuesday, September 14, 2021**  
**6:30 P.M.**

The conduct of the meeting will include remote access by telephonic, video, and electronic means. The public may attend in person or 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 778-6538

Chairman Matthew Smith called the meeting to order at 6:30 P.M. with the following members present: Stephan Bunker, Joshua Bell, and Scott Landry. Michael Fogg was unable to attend. Town Manager Christian Waller, Town Secretary Nancy Martin, Parks and Recreation Director Matthew Foster, Alford Youth and Community Center Teen Coordinator Avery Ryan, High Peaks Alliance Executive Director Brent West, Board of Appeals and Board of Assessment Review Member Dennis O'Neal, Mt. Blue TV camera operator Tom Martin, and members of the press and public were also present. Members of the press and public participated remotely.

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

**ITEM 2: To discuss an agreement with Wiles Remembrance Centers for the provision of Sexton duties.**

Christian Waller informed the Selectmen that the contract for sexton duties with Wiles Remembrance Centers would be presented for review at the September 26, 2021 meeting. Final details were ironed out, and Mr. Waller will forward the contract to the Town's legal advisor for review.

**ITEM 3: To approve an additional \$232.00 from the ADA Reserve Account to pay shipping costs for the two accessible porta-potties approved July 27, 2021.**

Christian Waller provided copies of the sales orders from All Safety Products dated August 31, 2021. The original invoice totaled \$6,119.70; the revised invoice includes additional shipping costs and totals \$6,351.70.

**Scott Landry moved to approve an additional \$232.00 from the ADA Reserve Account to pay shipping costs for the two accessible porta-potties approved July 27, 2021; Joshua Bell seconded.**

**VOTE            AFFIRMATIVE    4            ABSENT    1            MOTION CARRIED**  
**(Michael Fogg)**

**ITEM 4: To approve Municipal Quitclaim Deeds.**

Christian Waller reviewed three (3) Quitclaim Deeds releasing any interest the Town might have on account of undischarged liens on property of Kristin L. Stump and Christopher L. Stump located at Clover Mill Road Map/Lot R14-036-A; the property of John P. Gund and Lisa K. Greenwood located at 109 Knowlton Corner Road, Map/Lot U37-13; and the property of Edward Ames located at 114 Croswell Road, Map/Lot U02-007.

**Scott Landry moved to approve Municipal Quitclaim Deeds for Kristin L. Stump and Christopher L. Stump located at Clover Mill Road Map/Lot R14-036-A; the property of John P. Gund and Lisa K. Greenwood located at 109 Knowlton Corner Road, Map/Lot U37-13; and the property of Edward Ames located at 114 Croswell Road, Map/Lot U02-007; Joshua Bell seconded.**

**VOTE                    AFFIRMATIVE    4                    ABSENT    1                    MOTION CARRIED**  
**(Michael Fogg)**

The Selectmen signed the three (3) Quitclaim Deeds.

**ITEM 5: To approve moving \$5,000 from the Rail Trail Bridge Reserve Account to High Peaks Alliance towards the \$15,000 cost of the re-engineering report.**

Christian Waller reported that this regards the old railroad bridge that was removed several years ago. The re-engineering report will look at new ways to cross that span. Mr. Waller introduced High Peaks Alliance (HPA) Executive Director Brent West. HPA is working with the Bureau of Parks and Land (BPL) who owns and manages the Whistle Stop Trail. BPL would like to apply for a federal Economic Development Administration (EDA) Grant; the EDA grant requires that a re-engineering report be completed before the application is submitted. Mr. West reported that snowmobile programs donated \$5,000, HPA donated \$5,000, and a private donor gave \$5,000 towards the cost of the re-engineering report. The EDA grant covers up to 80% of construction costs. The remaining 20% would come from a State or local match or a combination of both. In 2007, the Town sponsored an engineering study, and it was updated in 2011. The projected cost of the bridge was \$1,600,000. HPA is working with Calderwood Engineering, and they recommend a cable-stayed bridge. A cable-stayed bridge is similar to a suspension bridge because it is a free span and does not require a center pier. Elimination of the central pier alleviates permitting issues and the need to build a copper damn in the middle of the Sandy River. Mr. West reported that the State acquired easements on both sides of the river in 2004 and 2005, allowing them access to the proposed bridge. The main goal right now is to determine the overall design of the bridge and the cost of construction. Both are due by March 2022. Once Mr. West receives the re-engineering report, he will present their recommendations to the Selectmen. The addition of the bridge will eliminate the need for snowmobilers to cross the center bridge, which is a safety issue. A bridge will bring recreational visitors with disposable income to the area creating new opportunities for local businesses.

**ITEM 5: To approve moving \$5,000 from the Rail Trail Bridge Reserve Account to High Peaks Alliance towards the \$15,000 cost of the re-engineering report (continued)**

**Joshua Bell moved to approve moving \$5,000 from the Rail Trail Bridge Reserve Account to High Peaks Alliance towards the \$15,000 cost of the re-engineering report; Stephan Bunker seconded.**

**VOTE            AFFIRMATIVE    4            ABSENT    1            MOTION CARRIED**  
**(Michael Fogg)**

**ITEM 6: To approve allowing the Parks and Recreation Dept. to enter into a MOU with Alfond Youth and Community Center for Teen Programming.**

AYCC Teen Coordinator Avery Ryan was present and provided an overview of the teen program (ages 12 – 24). The Memorandum of Understanding (MOU) between AYCC and Farmington Parks and Recreation establishes the terms and conditions under which AYCC and Farmington Parks and Recreation will participate in the state-funded contract between the Maine Alliance of Boys and Girls Clubs and the Maine Department of Health and Human Services (DHHS) to promote TANF purposes: (1) prevent and reduce the incidence of out-of-wedlock pregnancies; and (2) encourage the formation and maintenance of two-parent families. The MOU is effective from August 1, 2021, to September 30, 2022, and could be extended through 2024. The AYCC will collaborate with Farmington Parks and Recreation to provide Boys & Girls Club Experience (BGCE), including curriculum, services, and activities in the three main areas: healthy lifestyles, academic success, and good character and citizenship. Matthew Foster and Avery Ryan reviewed the terms and conditions of the MOU, which include staffing two (2) part-time employees, twenty hours per week for the next four years. Mr. Ryan and Mr. Foster answered the Selectmen's questions.

**Stephan Bunker moved to approve allowing the Parks and Recreation Dept. to enter into a MOU with Alfond Youth and Community Center for teen programming; Scott Landry seconded.**

**VOTE            AFFIRMATIVE    4            ABSENT    1            MOTION CARRIED**  
**(Michael Fogg)**

**ITEM 7: To discuss proposed changes to the Town Marijuana Ordinance put forth by Ryan Morgan.**

Ryan Morgan addressed the Board of Selectmen regarding the Marijuana Ordinance implemented by the Town in 2019. Mr. Morgan stated that he has a vested interest in changing the Marijuana Ordinance; he wants to open a recreational marijuana store downstairs of The Roost. Mr. Morgan asked the Selectmen to consider removing limits on the number of marijuana stores allowed to operate and adopt a free capitalism

**ITEM 7: To discuss proposed changes to the Town Marijuana Ordinance put forth by Ryan Morgan. (continued)**

approach to marijuana stores. He asserted that the Town does not limit the number of gas stations, pharmacies or electricians permitted, and they should not limit the number of marijuana stores. Mr. Morgan stated that he understands there is a list of people who are waiting for store slots to open up. He proposed the Town open the market to free enterprise, and market conditions would govern how many stores survive or close based on the economy and need. Mr. Morgan explained that his recreational marijuana store would not have odor issues because the products delivered are prepackaged and sealed. He further explained that edibles offer an alternative to opioids and stress medications. Mr. Morgan acknowledged that a lot of time and effort went into establishing the 2019 Marijuana Ordinance, but ordinances need to be adjusted as times change. Matthew Smith stated that there is only one recreational marijuana licensee owner actively pursuing opening a storefront at this time. Stephan Bunker noted that an ordinance change requires a town vote, and many variables come into play. A lengthy discussion ensued. Discussion included: is there a pent-up demand that does not have access to licensing; are licenses being bought and held to control the market; grow facilities vs. stores; the current number of store licenses; State rules and regulations; and zoning restrictions.

**It was the consensus of the Selectmen to ask Code Enforcement Officer Steve Kaiser to review the 2019 Marijuana Ordinance and present his recommendations to the Board.**

**ITEM 8: To approve the minutes of August 24, 2021.**

**Joshua Bell moved to approve the Minutes of August 24, 2021; Scott Landry seconded.**

<b>VOTE</b>	<b>AFFIRMATIVE</b>	<b>4</b>	<b>ABSENT</b>	<b>1</b>	<b>MOTION CARRIED</b>
			<b>(Michael Fogg)</b>		

**ITEM 9: To discuss other business.**

- A)** Joshua Bell inquired about the timetable for the High Street project. Christian Waller stated that he had not heard anything additional. There has been significant progress on the Clover Mills Road project, and he believes this would need to be completed before starting on High Street. Public Works Director Phil Hutchinson is aware of the timeframe and is completing the projects as quickly as possible.
- B)** Joshua Bell reported a massive pothole at the halfway mark on Whittier Road. Christian Waller will notify Public Works.
- C)** Scott Landry stated that he was glad to see the painting beginning on the

**ITEM 9: To discuss other business. (continued)**

crosswalks on High Street.

- E.)** Joshua Bell asked if there was any legal liability for removing the ADA crosswalk at South Street and High Street. He reported that college students cross there, and there is a stepdown and an ADA pad on the college side of the crosswalk. If the crosswalk was discontinued, should the stepdown and ADA pad be removed? Christian Waller stated that he would submit the question to the Town's legal advisor and report back to the Board.
  
- D)** Ryan Morgan stated that he responded to a call for a roll-over in Wilton. A dump truck has rolled onto a car and trapped a lady inside her vehicle. The vehicle was buried in rocks. Mr. Morgan stated that the Farmington Fire Department was on the scene, and Deputy Chief Tim Hardy took control of the rescue operation and did an excellent job. Mr. Morgan stated that the FRD did an amazing job removing the dump truck and stones off the vehicle and extricating the woman from inside. The Selectmen thanked Mr. Morgan for his comments.

**ITEM 10: To hold an executive session pursuant to 1 M.R.S. § 405.6.A to discuss personnel matters related to the Fire Department.**

**Joshua Bell moved to go into Executive Session at 7:31 P.M.; Stephan Bunker seconded.**

**VOTE            AFFIRMATIVE    4            ABSENT    1            MOTION CARRIED**  
**(Michael Fogg)**

The Selectmen came out of Executive Session at 8:06 P.M.

No action was taken.

There being no further business to come before the Board, **Joshua Bell moved to adjourn at 8:07 P.M.; Scott Landry seconded.**

**VOTE            AFFIRMATIVE    4            ABSENT    1            MOTION CARRIED**  
**(Michael Fogg)**

Minutes respectfully submitted by Nancy L. Martin.

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Michael J. Fogg - Secretary