FARMINGTON BOARD OF SELECTMEN Tuesday, October 26, 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: Michael Fogg, Joshua Bell, and Scott Landry. Stephan Bunker and Christian Waller were unable to attend. Executive Assistant Nancy Martin, Appeals and Board of Assessment Review Member Dennis O'Neil, Budget and Planning Board Member Judith Murphy, and Mt. Blue T.V. camera operator Victor Cormier. 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.

To Discuss a proposed change to increase the number of Franklin County Commissioners from 3 to 5 and to offer a letter of support.

Matthew Smith reviewed the Minutes to March 9, 2021, Selectmen's Meeting. A motion was made and carried to offer a letter of support in favor of the proposed change to increase the number of Franklin County Commissioners from three (3) to five (5). Mr. Smith provided a copy of the letter of support dated March 10, 2021.

ITEM 3: To Hold a Public Hearing and Vote on Amendments to the M.M.A. Model General Assistance Ordinance, Appendices A – H

Chairman Matthew Smith opened the Public Hearing under Item 3 at 6:33 P.M.

Chairman Matthew Smith closed the Public Hearing under Item 3 at 6:34 P.M.

Joshua Bell moved to approve amendments to the M.M.A. Model General Assistance Ordinance, Appendices A-H; Scott Landry seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

The Selectmen signed the Ordinance signature page.

ITEM 4: To Approve the Minutes of October 12, 2021

Scott Landry moved to approve the Minutes of September 28, 2021; Joshua Bell seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

ITEM 5: To Discuss Other Business

A) To Consider an Expenditure of \$411 from the Special Projects Account to Purchase an Advertisement in the 2021 Western Maine Edition of "Paper Talks" Magazine

Mark Pierce of the "Paper Talks" Magazine for Western Maine was present and previewed the 2021 edition, which will be released in late October, early November. This year's cover will highlight pupils who attended the Sebec Village School during the 1950s. Additional photos will come from many parts of Piscataquis, Kennebec, Franklin, Somerset, and Oxford Counties. Material from local historical societies will be featured. The Town has run an ad in the magazine for twenty-three years.

Joshua Bell moved to approve an expenditure of \$411 for an advertisement in the 2021 Western Maine Special Edition of "Paper Talks" Magazine, with funding coming from the Projects account; Scott Landry seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

B) Matthew Smith welcomed Farmington landowners whose property abuts the former Nusman farm on Farmington Falls Road, near the intersection with Davis Road. On Monday, October 26, Clearwater Solar Partners (CSP), in the care of Allen Tate of West Lebanon, New Hampshire, applied for a solar farm. Approximately thirty-three acres of the two-hundred and seventy-acre farm are of the proposed site located at 414 Farmington Falls Road is being leased from Bill Stasiowski and Anne Myers. Rob Martin, representing the abutters, addressed the Board. He stated that they are not trying to eliminate this solar farm; they are asking the Selectmen to approve changing the setback for solar farms from seventy-five (75) feet to five-hundred (500) feet from abutting properties. Mr. Martin stated that the reasons for the setback are respecting the landowner's rights, both the abutters, the leasee, and the leasor; the environmental impact on the wetlands and wildlife; and the Town's current solar farm plan on Bussie York's property was not what was expected. Mr. Martin explained they are trying to find a way to let the town's people have a little bit of control. Mr. Martin stated that Farmington is one of the largest solar farms in the state, and we are ongoing across unplowed ground. We are dealing with zoning laws that were put in place seven years ago. Based on state rules, it is time to reevaluate and make sure we do not create a disaster in this beautiful town that we live in. Mr. Martin asked the Selectmen to pass a motion tonight that puts a five-hundred (500) foot setback in place. If that is not possible, he requested that a moratorium be placed on solar farms. Mr. Smith stated that he believed that the Board could not stop this solar farm project; they had already submitted their application. However, changes may be made for future projects if the town wishes. Mr. Smith replied that the Zoning Board had to follow the letter of the law when not endorsing it. Mr. Martin reiterated that they want to slow down the CSP solar farm; it is up to the Selectmen to slow it down. Joshua Bell explained that if CSP had not turned in their application, the Selectmen could vote on a moratorium to stop the solar farm. However, since Adrien Harris did approach the Zoning board before CSP submitted their application, the Selectman will ask the Town's attorney if this action allows for a moratorium. Mr. Bell provided an outline of how the process works: the Zoning Board reviews the project, and they propose doing it; the project then comes before the Selectmen for a vote; and once approved, the project goes before the people to vote at a Town Meeting. The selectmen's only power is to support a moratorium; they cannot change the zoning ordinance. To protect the Town from liability issues, the Selectmen review options with an attorney. A lengthy discussion ensued.

ITEM 5: To Discuss Other Business (continue)

Joshua Bell moved to seek legal opinion: Can the Town place a moratorium on a project after receiving an application? Matthew Smith seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

- C) Matthew Smith offered condolences to the family of Kenny Jones, Jr., a logger, who passed away on Monday, October 26, after a portion of a tree fell and struck him. He was working at the end of the dump Road. Kenny Jones, Jr. was a good man and a great logger. The community will miss him.
- ITEM 6: To hold an executive session pursuant to 1 M.R.S. § 405.6.A to discuss personnel matters related to salary and recruiting for Town positions.

Scott Landry moved to table Item 6 until November 9, 2021 Board of Selectmen's meeting; Joshua Bell seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

There being no further business to come before the Board, Scott Landry moved to adjourn at 7:20 P.M.; Joshua Bell seconded.

VOTE AFFIRMATIVE 4 ABSENT 1 MOTION CARRIED (Bunker)

Minutes respectfully submitted by Nancy L. Martin.

Michael J. Fogg - Secretary