

## FARMINGTON BOARD OF SELECTMEN

Tuesday, April 26, 2022

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/> or calling 778-5874

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 was unable to attend. Town Manager Christian Waller, Executive Assistant Nancy Martin, Parks and Recreation Director Matt Foster, Assistant Parks and Recreation Director Jennifer Savage, Interim Fire Rescue Chief T.D. Hardy, Wastewater Treatment Facility Superintendent Stephen Millett, Deputy Clerk/MVA Clerk/Sewer Clerk Mavis Gensel, Sewer Plant Operator III Joseph Hartigan, Board of Appeals and Board of Assessment Review Member Dennis O'Neil, Mt. Blue TV camera operator Lillie Clark, and members of the press and public were also present. Members of the media and public participated remotely.

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

### **ITEM 2: To Allow Atlantic Salmon Project Manager Maranda Nemeth to address the Board. Re: Walton's Mill Park Improvements and Timeline**

Maranda Nemeth updated the Walton's Mill Dam removal and park improvement project. Ms. Nemeth stated they needed to delay the project last year due to COVID-19 issues. The Atlantic Salmon Federation (ASF) was able to lock in H. E. Callahan Construction (HECC) out of Auburn, Maine. ASF selected HECC through a competitive bid process. HECC subcontracts with local contractors E.L. Vining, Adrenaline Electric, and Lakeside Landscape. The lead project engineer is Acadia Civil Works, and the lead landscape architect is David Maynes Studio. The construction and teams are all based in Maine. H. E. Callahan provided an initial schedule:

- Week of April 25<sup>th</sup> – E.L. Vining will be clearing the gate opening at the dam. This will be done to meet permit and regulatory compliance. The impoundment will be partially drawn down through May and June to start the wetland vegetation transition and stabilization of streambanks.
- May through August – Various non-native invasive plants will be removed from the park by Farmington Conservation Commission member Hunter Manley, a state-licensed forester and pesticide applicator of Legacy Woodlot Services, Inc.
- June 20<sup>th</sup> – Barricade the park. For public safety, the park will be closed to the public. The park will remain closed until the project is completed sometime in November or December.
- July 15<sup>th</sup> – Dam removal will begin and be completed in about a month.
- August – Restoration of the heavily altered and degraded streambank will begin and be completed by September 30<sup>th</sup>.
- September 30<sup>th</sup> – The crew will finish the upland park improvements, including a pavilion, walkways, washroom, parking areas, and landscaping.

Ms. Nemeth provided a handout that states the revitalized park with a washroom, a pavilion, stone walkways, new rock stairs to provide streamside access, and a stabilized historic overlook with safety railings will provide an opportunity for community gatherings and recreation. The improved walkways will be lighted and provide universal access from the renovated parking lot to the new scenic overlook, washroom, and pavilion. Persons with disabilities will be able to

**ITEM 2: To Allow Atlantic Salmon Project Manager Maranda Nemeth to address the Board. Re: Walton’s Mill Park Improvements and Timeline (continued)**

view the stream and woods from the overlook, utilize the ADA-compliant washroom facilities, and be able to eat and rest at the ADA-compliant picnic tables in the pavilion. A public dedication will be held in 2023. Ms. Nemeth answered the Selectboard’s questions.

**ITEM 3: To Allow Natural Resources Council of Maine Regional Outreach Coordinator Marc Edwards to address the Board. Re: to offer an introduction to Natural Resources Council of Maine (NRCM) and our work in the greater Farmington/Franklin County region**

Marc Edwards gave an overview of the NRCM’s work in the greater Farmington/Franklin County region. Mr. Edwards stated he is reaching out to folks throughout Franklin County and listening to their views. NRCM has strived to protect Maine’s environment since 1959 “by harnessing the power of science, the law, and the voices of the people who value Maine’s environment.” This year NRCM is partnering with entities across Maine to launch a statewide celebration of the 50th anniversary of the Clean Water Act. They will focus on the importance of clean water and a commitment to continued progress. NRCM’s programs include Climate and Clean Energy; Healthy Waters; Forest and Wildlife; sustainability; State House/Emerging Issues; and Washington Watch Federal. Information regarding memberships can be found at [www.nrcm.org](http://www.nrcm.org) or by calling (800) 287-2345. Mr. Edwards answered the Selectboard’s questions.

**ITEM 4: To Allow Parks and Recreation Director Matthew Foster to present a brief 2021 Year-End Review**

In response to Stephan Bunker’s request on Tuesday, April 12, 2022, Parks and Recreation Director Matthew Foster provided a 2021 Year-end review to the Board. Mr. Foster reported that due to COVID-19, the Community Center was closed for a good portion of 2021. Despite this hurdle, Parks and Recreation were able to create quality programs for the Farmington community and beyond:

- The ice skating rink remained open for the season
- Virtual programming (22,000 views) – Soccer and basketball drills, science experiments, arts and crafts, outdoor sports clinics, exercise, and sign language tutorials.
- Partnered with local businesses to provide online events – “Winter Break In A Box” (60 participants), Earth Day, Easter, and Valentine’s Day
- “Into the Woods” - 105 participants hiked (369 hikes) for a chance to win state park passes and outdoor gear
- Summer Camp (75 children participated)
- Swimming lessons (70 participants)
- Summer Programs – Mad Science, tennis, nature camp, et cetera
- Fall soccer and field hockey (225 participants)
- “Halloween Spooktacular” – partnered with fourteen local businesses. The candy was provided by Walmart and No Limits Fitness (180 participants)
- In addition to the above-listed items, Parks and Recreation offered thirty (30) different programs

**ITEM 4: To Allow Parks and Recreation Director Matthew Foster to present a brief 2021 Year-End Review (continued)**

Mr. Foster reported that he was able to open the Community Center and began running the after-school hours for 1<sup>st</sup> grade through high school. During the second half of 2021, Parks and Recreation provided 14,000 hours of participation or “recreational value” with in-person programming alone. Only the last quarter of 2021 was held indoors. This number (14,000 hours) does not include virtual programming or visits to the Community Center, parks, ball fields, tennis and pickleball courts, and other not easily measurable facilities. Parks and Recreation also received \$150,000 in grants and were able to install a new HVAC system and a digital sign. Mr. Foster answered the Selectboard’s questions.

**ITEM 5: To Allow Interim Fire Rescue Chief T.D. Hardy to present a brief 2021 Year-End Review**

In response to Stephan Bunker’s request on Tuesday, April 12, 2022, Interim Fire Rescue Chief T.D. Hardy provided a 2021 Year-end review to the Board. Interim Chief Hardy reported that Stan Wilcox was hired to fill the full-time firefighter vacancy, replacing Conner Perkins, who accepted a position with the Lewiston Fire Department. Mr. Wilcox joined the FRD in 2017 as a per diem firefighter. Kyle Couture joined the FRD as a call firefighter. Two firefighters left the department due to personal issues. The current roster is: fourteen (14) call firefighters, five (5) per diem firefighters, and seven (7) full-time firefighters, bringing the total enrollment to twenty-six (26) firefighters.

In 2021 the FRD was actively involved in the instruction and support of the Franklin County Regional Firefighter 1 and 2 Academy held at Farmington’s Training Facility. Thirty (30) firefighters completed this course, including six (6) from Farmington. Using funds donated by a local business person, a new roof ventilation prop was installed at Farmington’s Training Facility. Included in that donation were funds to expand the pavement around the facility. The Farmington Training Facility is receiving a lot of use from the high school, FRD, and area fire departments. The Fire Commission will conduct an engineering study this year. It’s a bit early for the five-year inspection. However, this will get the Farmington Training Facility on the same rotation as the others in Maine. Interim Chief Hardy recently expanded the training schedule to include weekly drills conducted by each shift. These drills focus on the skills needed to function with current staffing levels.

Interim Chief Hardy reported that all apparatus and equipment are in service and functioning. Tower 3 recently passed the annual ladder test with only one minor repair, which will be done in-house. Tower 3 will go for its yearly ladder service in Auburn this May. The 2010 Ford F150 has significant rust issues and will need to be replaced in 2023. The bodywork done in 2019 is starting to rust again.

The FRD is getting back into presenting more fire prevention programs for daycares and groups. The goal is to present the fire prevention programs in the schools again this fall. COVID restrictions have placed these programs on hold. In 2021 the FRD conducted twenty-seven (27) inspections; this year, they completed eleven (11). They continue to work with Code Enforcement on these inspections. They also work directly with property owners and business owners, providing them with Life Safety and Fire Code information for projects in town. The FRD consults with three to five business owners per week.

**ITEM 5: To Allow Interim Fire Rescue Chief T.D. Hardy to present a brief 2021 Year-End Review (continued)**

Interim Chief Hardy reported the FRD responded to the following calls in 2021:

Major Incident Type	No. Incidents	% of Total
Fires	54	11.34%
Rescue and Emergency Medical Calls	113	23.74%
Hazardous Condition (No Fire)	140	29.41%
Service Calls	57	11.97%
Good Intent Calls	47	9.87%
False Alarms and False Calls	64	13.45%
Special Incident Types	1	0.21%
<b>Total</b>	<b>476</b>	<b>100%</b>

In 2021 the FRD provided Mutual Aid forty-six (46) times and received Mutual Aid twenty-two times (22).

Interim Chief Hardy reported the FRD responded to the following calls 2022 YTD:

Major Incident Type	No. Incidents	% of Total
Fires	28	16.28%
Rescue and Emergency Medical Calls	27	15.7%
Hazardous Condition (No Fire)	55	31.98%
Service Calls	16	9.3%
Good Intent Calls	20	11.63%
False Alarms and False Calls	26	15.12%
Special Incident Types	0	0%
<b>Total</b>	<b>174</b>	<b>100%</b>

In 2022 YTD, the FRD provided Mutual Aid seventeen (17) times and received Mutual Aid two (2) times.

Interim Chief Hardy answered the Selectboards questions. Joshua Bell asked if the FRD was compensated for Mutual Aid and Rescue and Emergency Medical Calls. Interim Chief Hardy confirmed that the Town does not seek compensation. This is something we can look into. Some towns hire companies to seek cost recovery. Christian Waller stated they had talked a bit about cost recovery, which is something they will look at. A brief discussion was held.

**ITEM 6: To Review and Approve the Proposed 2022 Sewer Department Budget and Establish the Sewer Use Rates**

Wastewater Treatment Plant Superintendent Steve Millett and Sewer Clerk Mavis Gensel presented the 2022 Sewer Department Budget to the Board during the April 12<sup>th</sup> and April 26<sup>th</sup> Selectboard meetings. The item was tabled at the April 12<sup>th</sup> meeting, and a motion to pass the budget failed with two votes for (Smith/Landry), two votes opposed (Bell/Staple), and one absentee (Bunker). Christian Waller asked Mr. Millett and Ms. Gensel to provide a brief overview and bring the Board and the public up to speed. Mr. Millett stated most of the budget increase is due to personnel services and inflationary costs created by COVID. He listed machinery, equipment, and chemicals; he reiterated that COVID had driven the price up on

**ITEM 6: To Review and Approve the Proposed 2022 Sewer Department Budget and Establish the Sewer Use Rates (continued)**

everything, including labor. He reported that the proposed budget is within the bounds of what Sewer takes in for revenues every year, and there is usually a bit leftover. Ms. Gensel stated during the past couple of years, the schools and the University were often closed, and the hospital reduced its procedures, resulting in a decrease in usage and revenues. With the University closed, the number of students living in local apartments also decreased. Mr. Millett explained that when the schools and the University close, the treatment plant loses half of its flow because 3,000 fewer people use the facilities. Ms. Gensel reported that usage appears to be rebounding because the students are back to in-person schooling. Mr. Millett stated the plant has one secondary clarifier (a concrete structure) that needs to be sandblasted, painted, and sealed. Marston and Associate's quote came in at \$48,500, a third less than other companies quoted. Marston and Associates did a fantastic job last year on another secondary clarifier, and this year's quote is only \$2,000 higher than last year. Mr. Millett stated that they claim the paint will last five years. However, he discovered if the Sewer Department touches up the paint every year, they can get twenty years out of a paint job. (Note: a savings of \$145,500 per clarifier over twenty years equals approximately \$582,000 before inflation when you factor in all four clarifiers). In response to Joshua Bell's question, Mr. Millett stated that the funds would come out of the Building Repair and Maintenance account.

Christian Waller asked Mr. Millett and Ms. Gensel to speak on the sewer rates and the budget impact on the rates. When customers can typically expect their sewer bills and what needs to happen before sewer bills can go out. Ms. Gensel explained that bills generally go out at the end of March, June, October, and December. She processes sewer liens twice per year. She said it is good if the bills go out consistently because she is always working against a timeline. The current sewer rate is \$39.90 for a minimum of 500 cubic feet and \$7.98 (about a penny a gallon) per 100 cubic feet thereafter.

Scott Landry asked Mr. Millett if he anticipated any issues with waste disposal in the future and how it would affect the budget. Mr. Millett reported that DEP imposed a \$10 per weight ton tax on waste disposal fees for all biosolids coming out of the plant. He factored this disposal tax into the 2022 budget. Casella decided to pay the disposal fees upfront as they are incurred and will bill the Town \$10 per wet ton for total tonnage at the end of the year. The Town will pay this bill in early 2023 (using funds earmarked in the 2022 budget). Mr. Landry asked if the Town was testing for per-and poly-fluoroalkyl substances (PFAS). Mr. Millett confirmed he tests the sludge once per year; they are figuring out when and how often they want treatment facilities to test affluent. They do not know regulatory things for the affluent yet, nor what they will make treatment facilities do if they are over. They need to figure out the answers to all these questions. Mr. Millett reported that the pre-test he had done on solids was equal to or less than drinking water. The Town does not have PFAS, and he relates that to not taking in a lot of septage from septage haulers. Mr. Landry stated that it is good for the people who have had their fields spread with sludge. Ms. Gensel said Farmington had not spread sludge in over twenty or twenty-two years. Mr. Millett provided an overview of when water needs to be tested or not tested. He was told that if a homeowner's water comes back with PFAS, the DEP will provide the owner with a filtration system. The \$10 per wet ton tax on sludge is supposed to go into PFAS research.

A lengthy discussion regarding the following subjects ensued:

- Vehicle and Equipment needs/usage, options, and opportunities for savings
- Chemical costs and inflation



**ITEM 6: To Review and Approve the Proposed 2022 Sewer Department Budget and Establish the Sewer Use Rates (continued)**

Matthew Smith asked Mr. Millett and Ms. Gensel how much a hole this would put them in. Ms. Gensel stated that she could not bill until she got a rate. She is already two months into the next quarter; we will just kick it down the road for another couple of weeks. Mr. Smith declared that we are just going to have to face this at some point, we can put it off and put it off all we want, but we will have to face this. He stated he was going to disagree. It is not awkward to have the employees here because they're the ones we are talking about. "We sit here and talk about numbers; numbers don't have any emotions; they don't mean anything. But every number on this page is somebody, and that makes a difference. At some point, we need to get over this." Ms. Gensel said things are a lot different than they used to be; you're doing a lot more legal work now. We do the legal work; we don't depend on lawyers as much. We do the research ourselves. We find out where these people are and what's going on, and how we can get this paid.

Sewer Plant Operator III Joe Hartigan asked to address the Board. He said he thinks he can put it (wage increases) into perspective. To jump (wage increases) this far in such a short period, as operators, we can probably make that jump overnight or within a couple of weeks. In other words, if we stay here for the kind of money we are getting now...we can go to many, many places throughout the whole country and most parts of the world with what we have under our belts and get that money. So, in other words, we do not have to stay here to get that money; we can go elsewhere. Mr. Hartigan declared that he did not want to go anywhere; he wanted to retire from Farmington. He would like to take Steve's job someday, God willing and Board willing. We are not job-scared. We are desired; people need us, and we know this. Mr. Hartigan stated he loves his job; it's not a job to him; it's a career. He takes a lot of pride in what they do, what they know, what they accomplish, and the jobs they take on. They need to be compensated as such. It is not a frivolous jump in pay; it's just compensation. Mr. Millet remarked it is something that has been earned over the years. Mr. Hartigan said when he was hired, he was presented with a benefits package and the pay rate, and he agreed to it. Mr. Hartigan noted that it'd been whittled away over the years, but every year their responsibilities grow. He asked, where's the justification for that? If you looked at the job description for an Operator, it's probably a page and a half that can be summed up in one sentence: anything that must be done at the plant and in the collection system. Anyone hired to work at the plant must learn how to do everything, and everything is a lot - mechanical, carpentry, construction, dealing with the public, dealing with engineers and contractors. Mr. Hartigan stated they do a fantastic job and have saved this Town hundreds of thousands of dollars by dealing with contractors and engineers knowledgeably and adequately. Due to their experience, they know how to deal with them, and we prevent them from overcharging the Town. It is not an exorbitant amount of money. It is just. Byron Staples stated that one of the biggest things for him is that there have been references to the pay scale increases being compared to the rest of the Town's employees. For fairness' sake, he thinks having a Town Meeting and having the Town people vote to get the consensus. Then we go from there because it's a matter of fairness to see the results of the Town Meeting. Mr. Hartigan stated that their jobs are not similar; nobody in this room has ever heard a young person say, I want to be a wastewater operator when I grow up. It's a different animal. Any other department does not need the skill set required at the plant. Mr. Hartigan proclaimed you couldn't pigeonhole any one job to one person, you must be able to do it all, and we do. You can't compare; it's apples to oranges. Mr. Bell asked Mr. Waller if he had what the operators were currently being paid and what current projections would be. Mr. Waller reported that the current pay and current projections for employees are posted on the Town's website. It shows 2021







Minutes respectfully submitted by Nancy L. Martin.

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Byron Staples - Secretary