

FARMINGTON SELECT BOARD
Tuesday, October 10, 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://mtbluetv.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, Stephen Eldridge, Interim Town Manager, 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: Chief of Police Kenneth Charles to introduce newly hired Police Officer Ariana Bacon

Chief Kenneth Charles addressed the board. He is happy to say that the Police Department has filled one of two vacant positions. Patrol Officer Ariana Bacon comes to the Farmington Police Department from the Skowhegan area. Chief Charles met her at the academy, and she impressed him at the time. She is a bright, intelligent, team player. She has been an officer for 3 years, went through the academy for Lewiston, ready to get back into the game.

Officer Bacon addressed the Select Board. She grew up in Skowhegan and comes from a family of first responders. She is excited to be here in Farmington.

The Select Board welcomes her aboard.

ITEM 3: To hear from Flint Christie of Kyes Insurance regarding rates

Flint Christie approached the board. Mr. Christie is the president of Kyes Insurance. This year insurance renewal was up 14.7% with the terrorism clause it is 15.5 % total. This renewal policy was one of the lower increases across their 100 accounts. The average was 20-25%. There are a multitude of reasons for the increases. Auto is out of control, cost of materials, cost of vehicles increased, insurance companies can't keep up. Sensors in vehicles, cost to repair, time to repair. Date of loss to completion has gone from an average of 51 days to 82 days for that same claim. The average cost of repair has at least doubled. Property – lumbar, copper, steel all increased. Difficulty finding contractors to do work. All these costs drive up, catastrophic losses across the country – hail, flooding, etc. First time in his career he is seeing companies that will go out of business. Reinsurance – companies have to buy insurance from another company for additional coverage. Catastrophic losses come out of company reserves,

getting double hit. Exposure change – buildings usually inflated to keep up with costs, this year 8% increase, and the average is 12%. Thinks it will turn around in a year or two with companies driving rate and inflation up to cover costs.

Selectman O’Neil inquired if all municipalities rated individually. Mr. Christie said they are.

Selectman Bell asked about the overall rating as a town. Mr. Christie stated that the classifications are typically standard, they fluctuate to apply credit or debit. He just sees the final pricing. Fewer claims equal less liability. Countrywide claims can make it more expensive here.

Selectman Bunker noted that he has been a happy client with Kyes for ages. Kyes gives back to the community, with 35 employees here in Farmington.

Selectman Bell inquired whether the town pays all at once or quarterly. Mr. Christie stated he believes quarterly, there are no cost savings based on the payment schedule.

Selectman Staples inquired about this year’s increase compared to previous years. Last year was 8-10%, and next year will probably be another 10-15%.

ITEM 4: To hold a Public Hearing regarding Application for On-Premises License for Sushi & Thai Smile Restaurant

Chairman Smith opened the public hearing. Kanokporn Raksasuwam and Oattanan Charoentanawong approached the board. Mr. Raksasuwam stated that his brother-in-law, Mr. Charoentanawong, is taking over the business and the liquor license for beer and wine.

There being no further comments from the public, Chairman Smith closed the public hearing and brought the matter back to the board.

Selectman Bunker made a motion to approve the Application for On-Premises License; Selectman Staples seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 5: To review Application for Renewal of On-Premises License for The Dugout Bar and Grill

The Select Board reviewed the renewal for The Dugout Bar and Grill.

Selectman O’Neil noted that the application appears complete.

Selectman Staples made a motion to approve the Application for Renewal; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 6: To accept a \$1,750 Donation on behalf of the Robbins Family to be Designated as the David Robbins Youth Sports Fund

Joyce King approaches the board. David was her brother. She is here to answer any questions the Select Board may have.

Chairman Smith stated that he was very sorry for her loss, David was a wonderful, unique guy.

Selectman O'Neil made a motion to accept the donation; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 7: To hear from Justin Poirier, Dirigo Assessing, and Review 2023 Tax Rate Scenarios

Justin Poirier and Nichole Stenberg of Dirigo Assessing approached the Board. They have provided the Select Board with a model of tax rates. The first page contains the rate choices and shows the past five (5) years. Last year, T.I.F. was funded at \$150,000 but they can fund it however they would like, up to \$179,000. The board inquired what numbers generate the maximum amount. Ms. Stenberg stated that there is a set original value, the amount you are able to capture is the additional amount on top of the original value.

The certified ratio dropped from 95% to 87%. The ratio is figured on state valuation. The state does a sales ratio vs. assessed values. The assessed value is lower than what sales have been as the state valuations are two years old. The 2025 revaluation should bring the ratio back up to 100. A large reason for this decrease was due to the built-in ratio and depreciation of the solar farm. There was a memorandum of agreement that contained percentage values. There was also a decrease in value in the Downtown T.I.F. from \$9.1m to \$8.9m. This was due in part to the decreased ratio to all homestead values as sales between 2021-2022 were lower than the year prior.

Selectman Bunker inquired if there are any major upcoming T.I.F. projects. Selectman Bell noted that there is money earmarked for the bridge, trails, signage, and other small things. He knows that the T.I.F. committee would like money to build up fund for turf field at UMF, but no large amounts earmarked.

Selectman Smith noted that he likes the \$150,000 mark, it gives a good cushion. Selectman Bell noted that they have done \$150,000 in the past and it would be a good amount.

Selectman Staples asked about the ongoing tax effect of the solar farm. Mr. Poirier noted that state valuations are two years behind. The increase was between 2021-2022. It should average out but can take about five years for a flush out of the formula due to the state calculation. Going forward, they should expect to see staggered losses over the next few years but nothing surprising. There was a 10% depreciation with the applied certified ratio.

The Select Board inquired about surplus amounts. Mr. Eldridge stated that it is hard to predict. Last year was just under \$4m, right now at \$3.6m. Has some questions for the treasurer, but there is a healthy balance. With some accounts, funding has not yet been transferred.

With regard to the overlay, nothing in the law states that it must be used for abatements, however, you do not want to get caught without any money set aside for abatements. In revaluation years, generally there should be an overlay over \$100,000. There is a revaluation coming up in 2025.

The value of the solar farm dropped \$11m to \$52m. The majority of the \$5.5m in valuation increase was due to new growth; however, depreciation was more than the growth.

Selectman Bell made a motion to set \$150,000 for Downtown T.I.F. and Overlay of \$30,000; Selectman Smith seconded.

**VOTE AFFIRMATIVE 4 OPPOSED 1 MOTION CARRIED
(O'Neil)**

Selectman Smith made a motion to appoint Nichole Stenberg tax assessor; Selectman Bell seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 8: To review and sign Warrant and Notice of Election to Call Regional School Unit No. 9 Referendum

The Select Board reviewed the referendum. Clarified that they are not taking a stance on the matter, it will be voted on, they simply need to sign them to be posted.

Selectman Bell made a motion to sign the referendum; Selectman O'Neil seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 9: To review School Board Applications

Three letters were sent to the board.

The appointee would serve out the remainder of the term through the election in the Spring.

Selectman O'Neil stated that Mr. Kinney is willing to serve but would not run in the Spring. Others can run in March. Selectman Bell stated that if the other two individuals wanted to pursue the position through election, serving as interim could help them learn. Selectman O'Neil stated that giving the position to one of two who would like to run might give that candidate a

leg up over the other. Selectman Staples noted that while it is important to be fair, experience is important as well.

Selectman O’Neil made a motion to promote Wayne Kinney to School Board to serve until the next election; Selectman Bunker seconded.

VOTE AFFIRMATIVE 3 OPPOSED 2 MOTION CARRIED
(Bell, Staples)

ITEM 10: To review Conservation Commission Application of John Clark

The Selectmen reviewed the application.

Selectman Smith made a motion to approve the application Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 11: To discuss Special Town Meeting

Interim Town Manager Stephen Eldridge addressed the Board. According to Article 33 in the 2021 Budget and Article 35 in the 2022 Budget, the Board has the authority to accept monies from federal, state, and other governmental agencies. Thus, the Board can allow the transfer of monies from Industry for Fire Rescue services from the general fund to the fire department. The treasurer can then move it. Additionally, if the town receives money from a state or federal program, it does not have to be approved by voters.

In terms of an ordinance, there will need to be a special town meeting. Looking at Nov. 14 but on hold until we know more.

ITEM 12: To review Memorandum from Interim Town Manager, Stephen Eldridge, regarding Personnel Policy

Mr. Eldridge met with Mr. Hutchins and reviewed the Personnel Policy. There is a policy regarding the hiring of family members. The position that Public Works was trying to fill was that of a foreman. They received only two applications. One applicant had no prior public works experience, the other applicant had 17 years of experience. It is hard to find qualified candidates. According to the policy, the Town Manager can override the policy if necessary to make a hire. The relative is in the office but will have no oversight. She works strictly for Mr. Hutchins, and the foreman works strictly for Mr. Hutchins, so he has waived it.

Selectman Bell noted that the employee in question had a large increase in her wage in the last budget, and she was promoted from administrative assistant to assistant director. Thus, she would be in charge if Mr. Hutchins were not there.

Mr. Eldridge noted that he does not know why there is an assistant director needed if there is a foreman. Will go back and look at her salary.

Selectman O'Neil noted this his only concern is if there is a supervisory level. Part of the problem is there is not a clearly defined role.

Selectman Bunker stated that generally speaking on nepotism he understands, but in the world of small towns and employment with critical filling of positions it can be difficult to find qualified applicants. He further noted that accommodations have been made in the past, including in the Police and Fire Departments. Would hope that policy has some latitude to maintain and avoid suggestions of favoritism.

Judith Murphy addressed the Select Board. She remembered the job title being changed in the budget meeting but does agree with Selectman Bunker that sometimes accommodations have to be made.

Selectman Bell stated that there are ways to make it work and change supervisory roles. Make sure people are not put in situations where something bad can happen.

Mr. Eldridge stated that it needs to stay consistent. Selectman O'Neil stated that clarification needs to be made.

ITEM 13: To Approve the Minutes of 9/26/23

Selectman O'Neil noted a clerical error which was amended by the executive assistant.

Selectman Bell made a motion to approve as amended; Selectman Bunker seconded.

VOTE AFFIRMATIVE 5 MOTION CARRIED

ITEM 14: To Discuss Other Business

Selectman Bell inquired about the boundary between towns on the Ramsdell Road and if we paved only the Farmington side. He further inquired about ditching roads for next year's paving. Mr. Eldridge stated that he would speak to Mr. Hutchins about it.

Selectman Bell inquired about a state policy requiring any project over \$100,000 to retain an engineer. Mr. Eldridge is not aware of this policy. Mr. Bell further inquired which firm, if any, has been retained. He suggested engineering firms as a board topic as there have been issues on other projects, such as drainage and retaining walls.

Selectman O'Neil mentioned the possibility of training an assessor in-house and hoped that it would be something the new town manager would be interested in. He believes it would be a good opportunity to have someone come in on the ground floor and work their way up.

Selectman Bunker noted that he attended the MMA conference and had an opportunity to speak with the new town manager. There was a lot of good information. The speakers were excellent.

Selectman O'Neil made a motion to adjourn at 8:16 p.m.; Selectman Bell seconded.

VOTE

AFFIRMATIVE

MOTION CARRIED

Minutes respectfully submitted by Leah Giusti.

Byron Staples - Secretary