

## FARMINGTON SELECT BOARD

Tuesday, October 24, 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: Joshua Bell, Byron Staples, and Dennis O'Neil. Matthew Foster, Director of Parks and Recreation, Attorneys Kristin Collins and Stephen Langsdorf, 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: Introduction of Town Counsel, Kristin Collins and Stephen Langsdorf of Preti Flaherty**

Kristin Collins and Stephen Langsdorf approached the board. Prior to the meeting, they had a chance to meet with the Interim Town Manager and Department Heads. They are excited to get started. Attorney Collins has been a municipal attorney for nearly 20 years. Attorney Langsdorf began his municipal career in 1991. They have been working with Erica LaCroix in the Town of Winslow and look forward to continuing their professional relationship.

Preti Flaherty has three full-time attorneys in their municipal department. They have experts of all kinds in-house. They represent over 20 towns in Maine, including Augusta, Kittery, Belfast, and Brunswick. They pride themselves on working efficiently and with pragmatic and creative solutions.

In terms of communication protocol, it is agreed that the Town Manager will be the point of contact with the attorneys. They are happy to attend executive sessions via zoom, over the phone, or in person. They request a couple of weeks' notice in the event of in person attendance.

### **ITEM 3: To hold a Public Hearing regarding the Acceptance of Riverside Greenhouses and Florist, LLC's Application as part of the Project Development Phase**

Chairman Smith opened the public hearing. Garret Reynolds of Riverside Greenhouses and Florist, LLC approached the board. He advised that the plan has been accepted and completed through the first phase. Now moving on to the second phase which includes confirmation through the environmental and historical society. Cindy has the environmental finished and sent off. Should be wrapping up shortly.

With no further comments from the public, Chairman Smith closed the public hearing and brought the item back to the board. The board is glad that the project is moving forward.

**Selectman Bell made a motion to accept the Application as part of the Project Development Phase; Selectman O’Neil seconded.**

**VOTE                    AFFIRMATIVE                    4                    MOTION CARRIED**

**ITEM 4:      To discuss bids received for the Community Center roof Thaddeus Gabryszewski and options moving forward**

Matt Foster and Thad Gabryszewski approached the board. Mr. Foster presented a memo to the board; this is the second time they have gone out to bid for the Community Center roof. The first time they had one bid, this time they received two bids. Bowman Construction bid \$2.46 million both times. Devoe Construction bid \$2.489 million. There was only a \$29,000 difference between the two bids, which leads them to believe they were either using the same subcontractor or talking to each other. These are not reasonable bids. The original estimate they received for the project from Kayla Magnuson was \$660,000. She stated that due to the increased cost of materials and scarcity of labor, double the original estimate would have been reasonable, but this is four times the estimated cost. These bids place the project at \$280 per square foot, which is nearly the cost of a new building.

There could be many factors driving these unreasonable bids. At least one contractor wanted to bid but could not tie up the bonding for that long with other projects going on. It may be that it is too big of a project for smaller contractors and too small of a project for large contractors.

The recommendation is to not accept either bid.

Selectman Bell inquired as to the estimated time frame for the job. They are giving contractors from April – November, although the timeframe for actual work to be done would be about 6-8 weeks. Selectman Bell further inquired if any thought was given to a different type of design. Mr. Gabryszewski stated there was, however, a pitched roof would be even more expensive, and it would dump snow off the sides.

It may be more fruitful to reach out to contractors and request quotes rather than sending the job back out to bid. They could also negotiate with one of the contractors who already bid. Ganniston Construction, Sheridan, and Kevin Smith & Sons may be options to reach out to.

Selectman Staples inquired if there was action that needed to be taken now in an emergency capacity. Mr. Gabryszewski noted that consistent snow removal will be key, as the required snow load for the roof is 75 pounds per square foot, and currently, there are sections that can only take 30 pounds per square foot.

Selectman Smith inquired if they would need to run getting quotes by the legal team. Mr. Foster stated that it would be fine to get quotes, but a contract would go through legal.

Selectman O’Neil stated that it seems they have no choice but to look in another direction.

**Selectman Bell made a motion to refuse bids and request quotes directly; Selectman Smith seconded.**

**VOTE            AFFIRMATIVE            4            MOTION CARRIED**

**ITEM 5:    To review Application for Renewal of On-Premises License for The Homestead**

The Board reviewed the application.

**Selectman Bell made a motion to approve Application for Renewal of On-Premises License for The Homestead; Selectman Staples seconded.**

**VOTE            AFFIRMATIVE            4            MOTION CARRIED**

**ITEM 6:    To review Application for Renewal of On-Premises License for Farmington Din...**

The Board reviewed the application.

**Selectman O'Neil made a motion to approve Application for Renewal of On-Premises License for Farmington Din...; Selectman Bell seconded.**

**VOTE            AFFIRMATIVE            4            MOTION CARRIED**

**ITEM 7:    To review and sign Quitclaim Deeds for the following properties:**

- **105 Twin Birches Lane**
- **120 Bridge Street**
- **1112 Farmington Falls Road**

The Board reviewed the Quitclaim Deeds

**Selectman Bell made a motion to sign the Quitclaim Deeds; Selectman Staples seconded.**

**VOTE            AFFIRMATIVE            4            MOTION CARRIED**

**ITEM 8:    To review and sign Warrant for Special Town Meeting**

Selectman Bell asked if they could hold off on the Special Town Meeting until the changes to the solar zoning ordinance are approved. Mr. Eldridge stated that they could do so, but the meeting would need to be pushed out to ensure proper notice. He will ask the Town Clerk when the meeting could be scheduled.

**Selectman Bell made a motion to postpone the signing of the warrant in order to add Solar Zoning Ordinance to date that meets requirements; Selectman Smith seconded.**

**VOTE            AFFIRMATIVE            4                                    MOTION CARRIED**

**ITEM 9:    To Approve the Minutes of 10/10/23**

**Selectman Smith made a motion to approve the minutes; Selectman O'Neil seconded.**

**VOTE            AFFIRMATIVE            4                                    MOTION CARRIED**

**ITEM 10:    To Discuss Other Business**

Mr. Eldridge provided information from public works that the board had requested at the last meeting. The board requested that Mr. Hutchins attend the next board meeting in order to answer questions.

Chairman Smith stated that he was delighted to read that local reporter Pam Harden received an award from Vienna Publishing for her story on Steve Bunker. He noted that she does great work in this area, and he was happy that she was recognized for it.

**Selectman Bell made a motion a motion to enter executive session pursuant to 1 MRSA § 405 (6)(A) to discuss a personnel matter at 7:29 p.m.; Selectman O'Neil seconded.**

**ITEM 11:    To hold an executive session pursuant to 1 MRSA § 405 (6)(A) to discuss a personnel matter**

Return to regular session of 8:25 p.m.

**Selectman O'Neil made a motion to adjourn at 8:25 p.m.; Selectman Bell seconded.**

**VOTE            AFFIRMATIVE            4                                    MOTION CARRIED**

Minutes respectfully submitted by Leah Giusti.

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Byron Staples - Secretary