

Town of Farmington
Board of Selectmen Public Meeting Minutes
Monday, May 21, 2018

Board Members Present:

Paula Proulx, Chairman
Neil Johnson, Vice Chairman
Dave Connolly
TJ Place
Ann Titus

Others Present:

Arthur Capello, Town Administrator
Laura Bogardus, Chairman Con Com
Chuck Tiffany, Water Dept.
Residents Elizabeth Johnson,
Barbara Fecteau

1). Call to Order:

Chairman Proulx called the meeting to order at 6 p.m.

2). Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

3). Public Input:

Mr. Capello said there will be a Special Town Meeting to see if the Town will vote to name the Board of Selectmen as the agents to expend the Highway Equipment Capital Reserve Fund (CRF) on Monday, June 25, 2018 in the Municipal Office Building at 5 p.m.

He explained that at the March Town Meeting voters approved a warrant article to add funds to the CRF but the article was disallowed by the NH Dept. of Revenue Administration because it was a change to the original intent of the CRF. He said they did not realize that the Selectmen were not named as the agents to expend the funds and they were anticipating expending those funds to replace the plow truck that was burned beyond use shortly before Town Meeting.

Motion: (Johnson, second Titus) to approve the posting of a Special Town Meeting for Monday, June 25, 2018 at 5 p.m. in the Selectmen's Chambers passed 5-0.

4). Review of Minutes:

May 7, 2018- Public Meeting Minutes- Page 5, Other access issues- first line, strike "such as to the evidence room". Page 7, #9, New Police Officer Academy Contract – Mr. Johnson requested the title of this section be amended to read "New Police Officer Contract for Attendance at the Academy " instead of as stated on the agenda as it could be interpreted that the Town was contracting with the Academy instead of with the Police Officer.

Motion: (Titus, second Johnson) to accept the minutes as amended passed 5-0.

May 10, 2018- Public Meeting Minutes- Page 2, mid-page "Amendment"- add "Mrs. Titus made the following amendment to her motion:"

Motion: (Connolly, second Titus) to accept the minutes as amended passed 4-0-1 (Johnson abstained).

May 14, 2018- Non-Public Sessions A & B Meeting Minutes- No errors or omissions

Motion: (Johnson, second Titus) to accept the minutes as written passed 5-0.

5). Sewer Abatement:

Mr. Capello said Mrs. Fecteau came before the board requesting abatement of her sewer usage portion of her water/sewer bill. He said the water was used but it was due to a leak and that the board has never abated water charges.

Mrs. Titus requested that the board discuss the possibility of abating the water charges as Mrs. Fecteau provided a certified letter from Cardinal and Glidden stating this was an issue with the furnace. She acknowledged the board has not done so in the past and then suggested reducing the water usage portion of her bill by \$50.

Mr. Capello advised against setting a bad precedence but said the decision is up to the board.

Mrs. Titus asked for the total amount of Mrs. Fecteau's bill.

Mr. Tiffany said that if approved, the sewer portion of her bill would be reduced from \$1,020.98 to \$77.65. The water charge is \$394.76 for a total bill of \$472.41. He said that approx. 13,120 cubic feet of water was leaked and that from 2013 to 2017 her average use was about 1,080 cubic feet of water.

Chairman Proulx said that the circumstances on the sewer side of the issue are well documented and that Mr. Tiffany's calculations meet what has been done in the past. She asked what the board would like to do with the sewer portion of the bill.

Mr. Capello said if the board chose to abate the charges per Mr. Tiffany's recommendation they would be abating \$943.33.

Motion: (Johnson, second Titus) to approve the sewer abatement in the amount of \$943.33 passed 5-0.

Motion: (Titus, no second) to reduce the water portion of the bill by \$50;

The motion died due to the failure to receive a second.

6). Water Meter Discussion:

Mr. Capello asked the board to set a meter fee if that is the funding method they have chosen for the meter replacement project. He asked them to make a decision soon so that notices may be sent to water users and to begin collecting the meter fee in the next billing cycle to have the funds in time to make the first payment on the new meters.

He said the application for the state Special Revenues Fund loan should be submitted to the state by the end of the week.

Mr. Johnson gave the board a spreadsheet he prepared with the costs for the meter replacement project spread out over 4 years. He said he figured there would be a loss of the 5% bulk discount and added a 3% increase in cost for each year in years 2 through 4. The total cost for the hardware alone over 4 years would be \$259,068 he said.

He estimated that if there were 292 meter installations per year the installation costs would

increase by 10% the first year and by an additional 5% for each subsequent year. The total installation cost over 4 years would be \$173,051 he said.

Mr. Johnson said the hardware, software and training, Vadar costs will be implemented the first year so he did not predict any yearly increased costs for those items. The 10% contingency each year was based on the new total costs he said.

He said he calculated a new total project cost if implemented over 4 years of \$500,032.23 which is almost \$58,000 or about 10% more than the original proposal which calls for purchasing the meters all at once. He said he did not figure in any finance costs as the project will have to be financed no matter which way purchase and installation plan is set up.

Mr. Capello said they could also do this without having to pay the 1% interest on the loan by not drawing down on the loan the first year, taking it out of Town cash and then reimburse the Town cash when the project is done. He said this option would only be available the first year as the Town can't afford to self fund the project over 4 years.

Mr. Johnson said in the next section of the spreadsheet he figured the costs if the project was implemented over 4 years with a 23 year term loan. The first 4 years would be at 1% and the additional years would be at a 2.4% interest rate. This would result in a quarterly billing increase of approx. \$6.79 per user depending on the finance costs he said.

He said if the board went with a 15 year loan, the loan could be paid off in 15 years and then use the additional 5-6 of payments to start building a fund for the next meter project.

Chairman Proulx asked for the cost to individual user to pay off the meter project if they took out a 20 year loan from the state and implemented a meter fee based on the size of the meter.

Mr. Johnson said the typical residential user's cost would be \$6.12 per quarter.

Mr. Capello said doing it this way there would be no creation of a fund to pay for the next round of meter replacements.

Chairman Proulx said she didn't favor making users pay for future meters they may not be here to use. She said that if a future board needs to increase the meter fee at the end of 20 years to pay for the next meter project that is what they should do.

Mr. Johnson this could put the town in same position in 20 years as it is in now and he was trying to lessen the impact of the next replacement with an incremental increase of the fee.

Mrs. Titus said she liked the idea of paying a little more per quarter (\$7.38) with a 15 year loan and continue collecting the fee for 5 years to have future funds available.

Mr. Johnson said if the users paid \$7.38 per quarter for the additional 5 years after the 15 year loan is paid there would be \$172,399 in the fund for the future meter replacement project. He said his figures are purely conjecture as the state did not supply the rates for a 15 year loan.

He said that a future board could also decide to suspend the meter fee until it is time to replace the meters again. He suggested that once the loan is paid they could set up a Capital Reserve Fund with the purpose to save for the next round of meter replacements.

Chairman Proulx then asked if the board was in favor of implementing a meter fee.

Motion: (Johnson, second Place) to implement a meter fee to cover the cost of the water meter replacement project and to implement the fee at the third quarter billing passed 5-0.

Chairman Proulx asked the board for their thoughts about the term length of the loan.

Mr. Johnson said he favored the 15 year loan as it gives the board the option to continue to collect the fee to save for the next meters or to terminate the fee until the meters need to be replaced again. He suggested they ask Mr. Capello to investigate the best way to put the money aside for future use.

Mr. Capello said the future board could also reduce the meter fee after the loan is paid so there would be some money going into the fund for future replacements. He said Mr. Tiffany could contact the state and get an interest rate and amortization schedule for a 15 year loan.

Mr. Johnson said the once the final yearly loan cost is known they can figure out what the actual meter fee will be.

Consensus of the board was to move forward with a 15 year loan.

7). Posting of New Job:

Mr. Capello said the board previously approved a job description for the Water Supervisor's position and asked the board to approve posting the position for 3 days internally before posting it externally.

Motion: (Titus, second Connolly) to post the non-union job as requested by Mr. Capello passed 5-0.

8). Town Administrator's Business:

A). Zoning Board Appointment- Mr. Capello said at the previous meeting the board requested the open ZBA position be advertised for additional applicants. He said the position was posted on the Town Face book page and no responses were received.

Motion: (Titus, second Connolly) to appoint Elise Haig to a one year term as a regular member of the Zoning Board of Adjustment passed 5-0.

B). RFP for Chip Sealing- Mr. Capello provided the total cost for the proposal from All States Asphalt, Inc. and asked the board to vote based on the bottom line figure as the DPW Director has some different ideas about the road work than shown on the proposal.

Mr. Johnson asked if the total amount budgeted for paving is \$350,000.

Mr. Capello said that is correct and that all of the paving is done in town except for the chip sealing.

Motion: (Johnson, second Titus) to accept the bid from All States Asphalt, Inc for chip sealing of Chestnut Hill Road, Bay Road and Ten Rod Road as seen fit in the amount of \$186,838 passed 5-0.

Additional discussion included having a future discussion about best practices to maximize road conditions and efficient use of funds.

C). Knotweed Update- Mr. Capello said a collection area for knotweed has been set up at the

Transfer Station that is separated by Jersey barriers and out of the way of users and inaccessible to the goats. The residents that requested the collection site will begin assisting with the collection of the invasive weed when they return from vacation he said.

D).Set Up Meeting with NJ Regarding Outstanding Issues at the Public Safety Building- Mr. Capello said he spoke with the Police and Fire Chiefs and that he would like to set up some possible dates for Mr. Johnson to meet with them regarding the outstanding issues at the Public Safety Building. He said that he and Mr. Johnson will discuss his availability as the board's liaison following the meeting.

E). Fireman's Relief Association Request- The board received a request from the Association President Bruce Manchester to house 2 antique fire trucks at the old Fire Station.

Mr. Capello said the storage of the trucks is feasible in regard to liability.

Mr. Johnson said he would like to stipulate that if approved, that building only be used for storage of the vehicles and that they not do any work in the building.

Chairman Proulx asked if the building was in decent enough shape to allow someone to drive the vehicles into the building without anyone getting hurt.

Mr. Capello said the building was in good enough condition for someone to drive the trucks into the building.

Motion: (Johnson, second Titus) to approve the storage of the 2 antique fire trucks at the old fire station with the stipulation that the building be used for only for the storage of the vehicles and no work may be done to them inside the building and to further stipulate that the waiver of liability provided be reviewed by the Town Attorney to make sure that it contains everything it should contain to release the Town from any liability before the vehicles move into the building;

Mr. Connolly asked if there is any duration for the storage of the fire trucks.

Mr. Capello said no duration was stated but that the Association understands that there is a potential for the property to be sold.

Vote: The motion passed unanimously.

F). Landfill Closure Fund- Mr. Capello asked the board to approve the withdrawal of \$9,512.29 from the Landfill Closure Capital Reserve Fund to pay for the yearly testing at the site.

Motion: (Johnson, second Titus) to authorize the withdrawal of \$9,512.29 from the Landfill Closure Capital Reserve Fund to pay for the annual testing passed 5-0.

G). Resignation- Mr. Capello announced the resignation of Lt. Riley Stanchina effective June 1, 2018. He said Lt. Stanchina has accepted a job as the Assistant Fire Inspector in North Carolina.

Motion: (Titus, second Place) to accept Lt. Stanchina's resignation with regret as of June 1 passed 5-0.

9). Additional Board Business:

A). Woman's Club- Mrs. Titus said she received a letter from Secretary JoAnn Doke regarding the Welcome to Farmington signs gifted to the town in 2016. The letter stated that the club is

unable to continue to maintain the two sites and suggested the town consider soliciting other volunteer groups or businesses to take over the landscaping duties for those spots and several other areas in town that could be beautified. The club will continue to maintain their Adopt-a-Spot downtown she said.

Chairman Proulx asked Mr. Capello to post the request for individuals or groups to take over maintaining the spots on the Town Face book page and asked Cable TV Coordinator Robert Hall to post it on Channel 26.

Mr. Capello said anyone interested in adopting a spot should contact him at the Municipal Office Building.

B). Church Presentation- Mrs. Titus thanked Mr. Hall for videotaping the presentation on historic places at the Congregational Church. She said the presentation included performances by the chorus, musicians, singers, skits and speakers and was a wonderful event.

C). Trail Dedication- Mrs. Titus thanked Mr. Connolly for providing a flyer on the dedication and opening of the McCarthy Trail on Sunday, June 10 at 1 p.m. behind the Public Safety Building.

D). Hills Conservation Easement- Mr. Connolly said he received the Hills Conservation Easement Deed and Baseline Documentation for the 49 acre property that is located at 32 Pound Road. He said Southeast Land Trust (SELT) applied for 2 grants for the project in the name of the Conservation Commission that were used to pay 50% of the appraisal costs and a federal grant was also received for the project. He said the Town Attorney has reviewed the deed and asked the board to vote on whether to accept the executory interest on the Hills conservation project and to vote to authorize the Chairman or Vice Chairman to sign the executory interest once the paperwork is completed. He said the attorney also asked the board to authorize the Con Com Chairman to sign the Baseline Documentation for the project once it is finalized.

Mr. Johnson asked who will own the property.

Mr. Connolly said SELT will hold the easement and Mr. Hills owns the property.

Mr. Johnson asked if the town will have any monitoring duties of the property.

Mr. Connolly said only as the executory interest in the event the SELT goes "belly up".

Motion: (Connolly, second Johnson) that the Board of Selectmen accept the executory interest on the Hills conservation easement located at 32 Pound Road passed 5-0.

Motion: (Connolly, second Johnson) to authorize the Chairman or Vice Chairman of the Board of Selectmen to sign the executory interest on behalf of the board once the paperwork is finalized passed 5-0.

Motion: (Connolly, second Johnson) to authorize the Chair of the Conservation Commission to sign the Baseline Document Report for the Hills conservation project once the paperwork is finalized passed 5-0.

E). Copier Follow-up- Mr. Johnson asked for an update on the Town Clerk's need for a color copier.

Mr. Capello said the Town Clerk's office does not need a color copier so the RFP went out for one color (for the Rec. Dept.) and one black and white copier.

F). Propane Tanks- Mr. Capello said they are still looking into finding a place that will receive used propane tanks.

G). Selectmen's Rep. to the Library- Mr. Connolly said that he is now the non-voting Selectmen's representative to the Library Board of Trustees after the Trustees rendered his swearing in as null and void. He said he is now a liaison and not a member of the Trustees.

H). High Cost for Diesel- Ms. Proulx said she was informed that the diesel was used to fill the tanks at the Municipal Office Building and the Town Hall when their tanks ran out of fuel during an extremely cold spell this past winter. She suggested that type of thing be monitored to prevent things from "walking off" as they have in the past.

I). Golf Course Easement- Mr. Capello said he would follow up with the Assessing Clerk as she planned to contact the Town Attorney about matter of the Town's water and sewer easement on the Farmington Country Club property following the discussion regarding the discretionary easement for the golf course.

J). Streetlights- Ms. Proulx asked if the Police dept. has conducted a check of the streetlights downtown to make sure all of them are working.

Mr. Capello said he would ask the Police Chief to have an officer on the night shift check on the status of the lights.

K). Transfer Station Tag-Chairman Proulx then asked how the 500 Boys and Girls Club tagging event went at the Transfer Station.

Mr. Capello said that a Transfer Station employee told him the event went very well and that the club made a lot of money. He said he did not hear back from the club as to any problems that day.

L). 150th Memorial Day Parade- Mrs. Titus said the parade will take place on Sunday, May 27 at 1 p.m. and in addition to the parade events will include the ceremonies at the cemetery, dedication of the new Main Street Bridge, activities at the Friends of Farmington and various specials at the downtown eateries.

10). Non-Public Session A:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus=yes) at 7:12 p.m.

Motion: (Johnson, second Titus) to come out of non-public session passed 5-0 at 7:25 p.m.

Motion: (Johnson, second Connolly) to authorize the Chairman of the Board of Selectmen to sign the Agreement between the Town of Farmington and NEPBA Local 212 passed 5-0.

11). Non-Public Session B:

Motion: (Johnson, second Titus) to enter non-public session under RSA 91-A: 3 II

(L) Consideration of Legal Advice passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place,

Titus=yes) at 7:25 p.m.

Motion: (Titus, second Johnson) to come out of non-public session passed 5-0 at 7:35 p.m.

Motion: (Johnson, second Connolly) to seal the minutes until the matter is resolved passed 5-0.

12). Non-Public Session C:

Motion: (Johnson, second Place) to enter non-public session under RSA 91-A: 3 II (c) Reputation passed 5-0 by a roll call vote (Proulx, Johnson, Connolly, Place, Titus=yes) at 7:35 p.m.

Motion: (Johnson, second Connolly) to come out of non-public session passed 5-0 at 7:40 p.m.

Motion: (Johnson, second Titus) to seal the minutes until the matter is resolved passed 5-0.

13) Seasonal Employee Interviews:

Mr. Capello asked the board to allow the DPW Director and himself to interview a candidate for the DPW seasonal employee position and to make a conditional offer of employment based on successful completion of hiring process.

Selectmen asked to be informed of the results of the interview and to be provided with information about the candidate before the offer is signed.

Motion: (Johnson, second Place) to waive the hiring policy passed 5-0.

14). Next Meeting: Monday, June 4, 2018.

There will be no meeting on Monday, May 28 due to the Memorial Day holiday.

15). Adjournment:

Motion: (Titus, second Place) to adjourn the meeting passed 5-0 at 7:43 p.m.

Respectively submitted

Kathleen Magoon

Recording Secretary

Paula Proulx, Chairman

Neil Johnson, Vice Chairman

Dave Connolly

TJ Place

Ann Titus

